

**OFFICIAL JOURNAL  
OF THE  
SENATE  
OF THE  
STATE OF LOUISIANA**  
**TENTH DAY'S PROCEEDINGS**

**Thirty-First Extraordinary Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Wednesday, April 10, 2002

The Senate was called to order at 1:00 o'clock P.M., by Hon. John Hainkel, President of the Senate.

**ROLL CALL**

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Jones, B	Tarver
Dupre	Jones, C	Theunissen
Ellington	Lambert	Thomas
Fields	Lentini	Ullo
Total—36		

ABSENT

Campbell	Chaisson	Johnson
Total—3		

The President of the Senate announced there were 36 Senators present and a quorum.

**Prayer**

The prayer was offered by Rev. Ed Bledsoe, following which the Senate joined in pledging allegiance to the flag of the United States of America.

**Reading of the Journal**

On motion of Senator Lambert, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**Motion to Recommit**

Senator Barham asked for and obtained a suspension of the rules and recommitted House Bill No. 141, which was on Third Reading and Final Passage, to the Committee on Revenue and Fiscal Affairs.

**House Bills and Joint Resolutions  
on Second Reading**

The following House Bills and Joint Resolutions were taken up and acted upon as follows:

**HOUSE BILL NO. 173—**

BY REPRESENTATIVE CRANE

AN ACT

To enact R.S. 23:1660(G), relative to employment records and reports; to provide for data sharing among certain agencies for the purposes of performance accountability and reporting; to provide for confidentiality of data; to provide for penalties for breach of confidentiality; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill was read by title and referred to the Legislative Bureau.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**NATURAL RESOURCES**

Senator Romero, Chairman on behalf of the Committee on Natural Resources, submitted the following report:

April 10, 2002

To the President and Members of the Senate:

I am directed by your Committee on Natural Resources to submit the following report:

**HOUSE CONCURRENT RESOLUTION NO. 52—**

BY REPRESENTATIVE DANIEL

A CONCURRENT RESOLUTION

To request the House and Senate Natural Resources Committees to study the Artificial Reef Development Program in the Department of Wildlife and Fisheries.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 53—**

BY REPRESENTATIVES DOWNER, BALDONE, AND DARTEZ AND  
SENATORS DUPRE AND GAUTREUX

A CONCURRENT RESOLUTION

To urge and request the United States Army Corps of Engineers to reexamine plans relative to the Morganza to the Gulf Hurricane Protection Project, particularly with respect to certain areas in Terrebonne Parish.

Reported favorably.

**HOUSE BILL NO. 156—**

BY REPRESENTATIVES HILL AND THOMPSON AND SENATOR HINES  
AN ACT

To enact R.S. 36:509(R) and Part XXV of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.171 through 3087.185; to create the Allen Parish Reservoir District as a political subdivision and state agency; to provide for a board of commissioners for the district; to provide for the powers and duties of the district including the power to levy taxes and issue bonds; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 169—**

BY REPRESENTATIVES LEBLANC AND FAUCHEUX  
AN ACT

To amend and reenact R.S. 25:1223.1(A) and 1224(A)(10) and to enact R.S. 25:1222(C), 1223(A)(3), 1224(A)(14), Part II of Chapter 26 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1226 through 1226.6, and R.S. 36:209(M)(3), relative to economic development; to provide for the abolishment of the Atchafalaya Trace advisory board; to provide relative to the membership of the Atchafalaya Trace Commission; to provide for the duties and authority of the commission; to create the Atchafalaya Trace Heritage Area Development Zone; to provide for legislative findings and purposes; to provide for definitions; to create the Atchafalaya Trace Heritage Area Development Zone Review Board and provide for its membership, duties, meetings, bylaws, and transfer; to provide for additional authorities of the commission; to provide for tax benefits for heritage-based concerns located in the development zone; to provide for a formal review and approval process; to allow the Department of Economic Development and the State Board of Commerce and Industry to adopt and promulgate certain rules; to provide for violations and penalties; to provide for the termination and evaluation of the program; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 174—**

BY REPRESENTATIVES DEWITT, PITRE, E. ALEXANDER, BALDONE, BAUDOIN, BEARD, BRUCE, CAZAYOUX, DAMICO, DANIEL, DARTEZ, DIEZ, DOWNER, ERDEY, GREEN, HEBERT, HUNTER, JOHNS, KATZ, LAFLUR, MORRISH, ODINET, PIERRE, PINAC, QUEZAIRE, RIDDLE, SCALISE, JACK SMITH, SNEED, STELLY, STRAIN, TOWNSEND, TUCKER, WADDELL, WALSWORTH, WINSTON, AND WOOTON  
AN ACT

To enact R.S. 36:4(Y) and Subpart B-1 of Part II of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:214.11 through 214.15, relative to the Governor's Advisory Commission on Coastal Restoration and Conservation; to create the commission and to provide for its powers, duties, functions, and responsibilities; to provide for the membership and terms; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
CRAIG F. ROMERO  
Chairman

REPORT OF COMMITTEE ON

**JUDICIARY A**

Senator Ellington, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

April 10, 2002

To the President and Members of the Senate:

I am directed by your Committee on Judiciary A to submit the following report:

**HOUSE CONCURRENT RESOLUTION NO. 41—**

BY REPRESENTATIVES PITRE, DEWITT, AND WALSWORTH  
A CONCURRENT RESOLUTION

To direct the Louisiana State Law Institute to study all aspects of liability relating to coastal restoration and make specific recommendations for limiting the liability of the state.

Reported favorably.

**HOUSE BILL NO. 175—**

BY REPRESENTATIVE JOHNS  
AN ACT

To amend and reenact R.S. 46:236.8, relative to child support; to specify the calculation of child support obligations in shared custodial arrangements; to provide for medical support orders; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
NOBLE E. ELLINGTON  
Chairman

**House Bills and Joint Resolutions  
on Second Reading  
Reported by Committees**

Senator Ellington asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

**HOUSE BILL NO. 156—**

BY REPRESENTATIVES HILL AND THOMPSON AND SENATOR HINES  
AN ACT

To enact R.S. 36:509(R) and Part XXV of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.171 through 3087.185; to create the Allen Parish Reservoir District as a political subdivision and state agency; to provide for a board of commissioners for the district; to provide for the powers and duties of the district including the power to levy taxes and issue bonds; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 169—**

BY REPRESENTATIVES LEBLANC AND FAUCHEUX

## AN ACT

To amend and reenact R.S. 25:1223.1(A) and 1224(A)(10) and to enact R.S. 25:1222(C), 1223(A)(3), 1224(A)(14), Part II of Chapter 26 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1226 through 1226.6, and R.S. 36:209(M)(3), relative to economic development; to provide for the abolishment of the Atchafalaya Trace advisory board; to provide relative to the membership of the Atchafalaya Trace Commission; to provide for the duties and authority of the commission; to create the Atchafalaya Trace Heritage Area Development Zone; to provide for legislative findings and purposes; to provide for definitions; to create the Atchafalaya Trace Heritage Area Development Zone Review Board and provide for its membership, duties, meetings, bylaws, and transfer; to provide for additional authorities of the commission; to provide for tax benefits for heritage-based concerns located in the development zone; to provide for a formal review and approval process; to allow the Department of Economic Development and the State Board of Commerce and Industry to adopt and promulgate certain rules; to provide for violations and penalties; to provide for the termination and evaluation of the program; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 174—**

BY REPRESENTATIVES DEWITT, PITRE, E. ALEXANDER, BALDONE, BAUDOIN, BEARD, BRUCE, CAZAYOUX, DAMICO, DANIEL, DARTEZ, DIEZ, DOWNER, ERDEY, GREEN, HEBERT, HUNTER, JOHNS, KATZ, LAFLEUR, MORRISH, ODINET, PIERRE, PINAC, QUEZAIRE, RIDDLE, SCALISE, JACK SMITH, SNEED, STELLY, STRAIN, TOWNSEND, TUCKER, WADDELL, WALSWORTH, WINSTON, AND WOOTON

## AN ACT

To enact R.S. 36:4(Y) and Subpart B-1 of Part II of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:214.11 through 214.15, relative to the Governor's Advisory Commission on Coastal Restoration and Conservation; to create the commission and to provide for its powers, duties, functions, and responsibilities; to provide for the membership and terms; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 175—**

BY REPRESENTATIVE JOHNS

## AN ACT

To amend and reenact R.S. 46:236.8, relative to child support; to specify the calculation of child support obligations in shared custodial arrangements; to provide for medical support orders; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**Rules Suspended**

Senator Fontenot asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Bills and Joint Resolutions  
Returned from the House  
of Representatives with Amendments  
Subject to Call**

The following Senate Bills and Joint Resolutions returned from the House of Representatives, subject to call with amendments were taken up and acted upon as follows:

**Called from the Calendar**

Senator Fontenot asked that Senate Bill No. 45 be called from the Calendar at this time.

**SENATE BILL NO. 45—**

BY SENATOR FONTENOT

## AN ACT

To amend and reenact R.S. 46:1053(Y), relative to Hospital Service District Number One of East Baton Rouge Parish; to increase the membership of the board of commissioners; to provide relative to the terms of office of the members of the board of commissioners; to provide that one member shall be a physician; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Reengrossed Senate Bill No. 45 by Senator Fontenot

AMENDMENT NO. 1

On page 2, at the end of line 4, change "four" to "three"

AMENDMENT NO. 2

On page 2, line 5, after "serve" and before "terms." change "four-year" to "three-year"

AMENDMENT NO. 3

On page 2, line 9, after "for" and before "terms." change "four-year" to "three-year"

AMENDMENT NO. 4

On page 2, line 11, after "a" and before "physician." insert "practicing"

Senator Fontenot moved to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Barham	Fontenot	Lentini
Bean	Gautreaux	Malone
Boissiere	Heitmeier	McPherson
Cain	Hines	Mount
Dardenne	Holden	Schedler
Dean	Hollis	Smith
Dupre	Hoyt	Tarver
Ellington	Jones, B	Theunissen
Fields	Lambert	Ullo
Total—27		

**NAYS**

Total—0

**ABSENT**

Mr. President	Cravins	Marionneau
Bajoie	Irons	Michot
Campbell	Johnson	Romero
Chaisson	Jones, C	Thomas
Total—12		

The Chair declared the amendments proposed by the House were rejected. Senator Fontenot moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**Rules Suspended**

Senator Dardenne asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**House Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call**

The following House Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

**Called from the Calendar**

Senator Dardenne asked that House Bill No. 104 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 104—**

BY REPRESENTATIVES HAMMETT, DEWITT, PINAC, ALARIO, BAYLOR, GLOVER, HILL, L. JACKSON, AND MONTGOMERY  
AN ACT

To enact R.S. 47:301(10)(a)(v), relative to sales and use taxes; to provide for exclusions from the tax for certain capital expenditures by biotechnology companies; to provide an effective date; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fontenot	Lambert
Barham	Gautreaux	Lentini
Bean	Heitmeier	Malone
Boissiere	Hines	McPherson
Cain	Holden	Mount
Dardenne	Hollis	Schedler
Dean	Hoyt	Smith
Dupre	Irons	Tarver
Ellington	Jones, B	Theunissen
Fields	Jones, C	Ullo
Total—30		

**NAYS**

Total—0

**ABSENT**

Bajoie	Cravins	Michot
Campbell	Johnson	Romero
Chaisson	Marionneau	Thomas
Total—9		

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Called from the Calendar**

Senator Dardenne asked that House Bill No. 105 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 105—**

BY REPRESENTATIVES HAMMETT, DEWITT, PINAC, ALARIO, K. CARTER, DANIEL, DURAND, FARRAR, HILL, L. JACKSON, MONTGOMERY, ODINET, AND TOWNSEND  
AN ACT

To enact Part VI of Chapter 39 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2351 through 2354, relative to providing for the Technology Commercialization Credit Program; to provide legislative findings and purposes; to provide definitions; to provide for the establishment of the Technology Commercialization Credit Program; to provide for the technology commercialization credit; to provide for an effective date; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Dardenne sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Dardenne to Engrossed House Bill No. 105 by Representative Hammett

AMENDMENT NO. 1

On page 7, line 20, after "total of all" insert "Louisiana income and corporation franchise"

On motion of Senator Dardenne, the amendments were adopted.

The bill was read by title. Senator Dardenne moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

Table with columns for YEAS and ABESENT, listing names of senators and their counts.

Total—0

Table with columns for YEAS and ABESENT, listing names of senators and their counts.

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Dardenne asked that House Bill No. 106 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 106— BY REPRESENTATIVES HAMMETT, DEWITT, PINAC, ALARIO, HILL, MONTGOMERY, AND ODINET

AN ACT

To enact R.S. 47:6015, relative to tax exemptions; to authorize the Department of Economic Development to award certain tax credits to qualified taxpayers for increasing research activities; to provide for certain rules and procedures for awarding credits; to provide for the maximum amount of the tax credits awarded; and to provide for related matters.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed House Bill No. 106 by Representative Hammett

AMENDMENT NO. 1

On page 4, line 10, after "Section," insert "in consultation with the secretary of the Department of Revenue,"

AMENDMENT NO. 2

On page 4, between lines 22 and 23, insert the following:

"H.(1) Recovery of credits by Department of Revenue. Credits granted under this Section, but later disallowed in whole or in part, may be recovered by the secretary of the Department of Revenue from the taxpayer applicant through any collection remedy authorized by R.S. 47:1561 that is initiated within three years from December 31 of the year in which the credit was originally granted. The only interest that may be assessed and collected on these recovered credits is interest at a rate three percentage points above the rate provided in C. C. Art. 2924(B)(1), which shall be computed from the original due date of the return on which the disallowed credit was taken.

(2) The provisions of this Subsection are in addition to and shall not limit the authority of the secretary of the Department of Revenue to assess or to collect under any other provision of law. This includes the disallowance of any disallowed credit claimed by a taxpayer who received the credit through purchase or through a distribution by an entity not taxed as a corporation."

On motion of Senator Dardenne, the amendments were adopted.

The bill was read by title. Senator Dardenne moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

Table with columns for YEAS and ABESENT, listing names of senators and their counts.

Total—0

Table with columns for YEAS and ABESENT, listing names of senators and their counts.

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Rules Suspended**

Senator Dupre asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments**

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

**SENATE BILL NO. 18—**

BY SENATOR DUPRE AND REPRESENTATIVE BALDONE  
AN ACT

To amend and reenact Section 3 of Act No. 113 of the 1950 Regular Session of the Legislature, as amended by Act No. 186 of the 1970 Regular Session of the Legislature, Act No. 196 of the 1992 Regular Session of the Legislature, Act No. 953 of the 1995 Regular Session of the Legislature, and Act No. 2 of the 1998 First Extraordinary Session of the Legislature, relative to the Bayou Lafourche Freshwater District; to provide relative to per diem and mileage for board members; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways and Public Works to Engrossed Senate Bill No. 18 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 2, after "Section 3" and before "of" insert "(C)"

AMENDMENT NO. 2

On page 1, line 11, after "Section 3" and before "of" insert "(C)"

AMENDMENT NO. 3

On page 2, line 7, after "members" delete the comma "," and "which" and insert a period "." and "The per diem"

AMENDMENT NO. 4

On page 2, line 8, after "meeting" delete the remainder of the line and insert "and shall not exceed one hundred fifty dollars per"

Senator Dupre moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Gautreaux	Malone
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Bean	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Jones, B	Tarver
Dupre	Jones, C	Theunissen
Ellington	Lambert	Ullo
Fields	Lentini	
Total—32		

**NAYS**

Total—0

**ABSENT**

Campbell	Fontenot	Thomas
Chaisson	Johnson	
Cravins	Marionneaux	
Total—7		

The Chair declared the amendments proposed by the House were concurred in. Senator Dupre moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 29—**

BY SENATOR HAINKEL

AN ACT

To enact R.S. 11:1386, relative to the judges' noncontributory plan; to provide with respect to cost-of-living adjustments for judges and widows of such judges who did not opt to become members of the Louisiana State Employees' Retirement System; to provide an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Bruneau to Engrossed Senate Bill No. 29 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 13, after "increased" and before "as" insert "by two percent"

Senator Boissiere moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Dardenne	Hoyt	Schedler
Dean	Irons	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, C	Theunissen
Fields	Lambert	Ullo
Total—33		

**NAYS**

Total—0

**ABSENT**

Campbell	Cravins	McPherson
Chaisson	Johnson	Thomas
Total—6		

The Chair declared the amendments proposed by the House were concurred in. Senator Boissiere moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 33—**

BY SENATORS B. JONES AND ULLO

**AN ACT**

To amend and reenact R.S. 17:24.10(A), (B), (C)(1)(a) and (c), (6), (7), and (8), (D)(1)(a) and (b), and (2), (E)(2), (F), (G), (H)(3), (4), and (5), (I)(1)(a) and (b), (3), (5)(b)(i), (ii), (v), and (6), and (J), to enact R.S. 17:24.10(D)(6) and to repeal R.S. 17:24.10(I)(1)(d), relative to early childhood development and enrichment activity classes; to provide relative to the reference to such classes; to provide relative to waivers for certain aspects of such classes; to provide relative to space and facilities for such classes; to provide relative to notice regarding certain aspects of such classes; to provide relative to partial participation in such classes; to provide relative to the funding for such classes and the expenditure of funds made available; to provide relative to funding preferences; to provide relative to annual renewal of participants; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 33 by Senator B. Jones

**AMENDMENT NO. 1**

On page 12, line 5, following "to" and before "(i)" change "Subsubparagraph" to "Item"

Senator B. Jones moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Gautreaux	Marionneaux
Bajoie	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Dardenne	Irons	Smith
Dean	Jones, B	Tarver
Dupre	Jones, C	Theunissen
Ellington	Lambert	Ullo
Fields	Lentini	
Fontenot	Malone	
Total—31		

**NAYS**

Total—0

**ABSENT**

Barham	Cravins	McPherson
Campbell	Hoyt	Thomas
Chaisson	Johnson	
Total—8		

The Chair declared the amendments proposed by the House were concurred in. Senator B. Jones moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**Senator Lambert in the Chair**

**SENATE BILL NO. 41—**

BY SENATORS MOUNT, DUPRE AND SCHEDLER

**AN ACT**

To amend and reenact R.S. 33:172(A)(1) and (D), relative to annexations by municipalities; to provide a procedure for annexation of vacant land when there are no resident property owners; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Perkins to Reengrossed Senate Bill No. 41 by Senator Mount

**AMENDMENT NO. 1**

On page 2, at the end of line 14, insert the following:

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"No ordinance annexing vacant property across parish boundaries shall be valid unless it has first been approved by the parish governing authority of the area to be annexed."

Senator Mount moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoie, Bean, Boissiere, Cain, Dardenne, Dean, Dupre, Ellington, Fields, Fontenot, Total—32; Gautreaux, Heitmeier, Hines, Holden, Hollis, Hoyt, Irons, Jones, B, Jones, C, Lambert, Lentini; Malone, Marionneaux, Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Table with 3 columns of names: Barham, Campbell, Chaisson, Total—7; Cravins, Johnson, McPherson; Thomas.

The Chair declared the amendments proposed by the House were concurred in. Senator Mount moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 48—

BY SENATORS SCHEDLER AND THOMAS AN ACT

To amend and reenact R.S. 33:9039.4(A)(3) and (4), relative to the East Florida Parishes Retirement District; to provide certain criteria for approved retirement community development areas; to clarify the authority of the district and the parishes to determine eligibility for certain local sales and use tax refunds; to provide for the procedure in which tax refunds are made; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Reengrossed Senate Bill No. 48 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 33:9039.4(A)(3) and (4)," to "R.S. 33:9039.4(A)(introductory paragraph), (3), and (4),"

AMENDMENT NO. 2

On page 1, line 9, change "R.S. 33:9039.4(A)(3) and (4)" to "R.S. 33:9039.4(A)(introductory paragraph), (3), and (4)"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 48 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, following "R.S. 33:9039.4" and before the comma "," change "(A)(3) and (4)" to "(A)(introductory paragraph), (3), and (4)"

AMENDMENT NO. 2

On page 1, line 9, following "R.S. 33:9039.4" change "(A)(3) and (4)" to "(A)(introductory paragraph), (3), and (4)"

Senator Schedler moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoie, Bean, Boissiere, Cain, Dardenne, Dean, Dupre, Ellington, Fields, Fontenot, Total—32; Gautreaux, Heitmeier, Hines, Holden, Hollis, Hoyt, Irons, Jones, B, Jones, C, Lambert, Lentini; Malone, Marionneaux, Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Table with 3 columns of names: Barham, Campbell, Chaisson, Total—7; Cravins, Johnson, McPherson; Thomas.

The Chair declared the amendments proposed by the House were concurred in. Senator Schedler moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 105—

BY SENATORS BOISSIERE AND BAJOIE  
AN ACT

To enact R.S. 33:9038, relative to cooperative economic development; to create the World Trade Center Taxing District as a special taxing and tax increment financing district in the parish of Orleans; to provide for the boundaries of the district; to provide for the governance of the district; to provide for the authority, powers, duties, and function of the governing body to levy and collect a tax upon hotel occupancy within the district and to engage in tax increment financing; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 105 by Senator Boissiere

AMENDMENT NO. 1

On page 3, line 4, following "S 02°22'13" and before "a" insert "E"

AMENDMENT NO. 2

On page 7, line 14, following "32.35" and before "to" insert "feet"

AMENDMENT NO. 3

On page 9, line 6, following "(2)" and before "in" change "servitude" to "servitudes"

AMENDMENT NO. 4

On page 10, line 3, following "Parcel" and before the period "." change "14-@" to "14-X"

AMENDMENT NO. 5

On page 10, line 17, following "These" and before "extend" change "servitude" to "servitudes"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative K. Carter to Reengrossed Senate Bill No. 105 by Senators Boissiere and Bajoie

AMENDMENT NO. 1

On page 2, line 22, after "distance of" and before "feet" change "72.74" to "32.33"

AMENDMENT NO. 2

On page 3, line 20, after "Public" and before "Right-of-Way" insert "Belt"

AMENDMENT NO. 3

On page 4, between lines 14 and 15, insert:

"THENCE, along the aforesaid southerly right-of-way line, S 52° 41' 46" E a distance of 123.56 feet to a point, marked by an iron rod (set);"

AMENDMENT NO. 4

On page 5, line 15, after "CENTER," and before "as" delete "designated" and insert in lieu thereof "herein referred to"

AMENDMENT NO. 5

On page 5 line 24, after "to a" and before "curve," insert "point of"

AMENDMENT NO. 6

On page 8, line 4, after "contains" change "82,229.43" to "276.55"

AMENDMENT NO. 7

On page 8, line 5, after "feet" and before "All in" delete "or 1.888 acres." and insert a period "."

AMENDMENT NO. 8

On page 8, line 7, after "Drawing No." change "B-3455A-2001." to "B-3455D-2001."

AMENDMENT NO. 9

On page 10, line 1, after "feet to" and before "point" delete "a"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Daniel and Welch to Reengrossed Senate Bill No. 105 by Senators Boissiere and Bajoie

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 33:9038" delete the comma "," and insert "and 9039,"

AMENDMENT NO. 2

On page 1, line 4, after "Orleans;" insert "to create the Capitol House Taxing District as a special taxing and tax increment financing district in the parish of East Baton Rouge;"

AMENDMENT NO. 3

On page 1, line 5, change "district" to "districts"

AMENDMENT NO. 4

On page 1, line 6, change "district" to "districts"

AMENDMENT NO. 5

On page 1, line 8, change "district" to "districts"

AMENDMENT NO. 6

On page 15, between lines 8 and 9, insert the following:

"Section 2. R.S. 33:9039 is hereby enacted to read as follows:

**R.S. 33:9039 is all proposed new law.**

§9039. Capitol House Taxing District

A. Creation. The Capitol House Taxing District, a special taxing district and political subdivision of the state, hereinafter referred to as the "district" is hereby created in the parish of East Baton Rouge.

B. The district shall be comprised of the following described parcels or tracts of land located in East Baton Rouge Parish:

That property known as the Capitol House Hotel (including the Heidelberg Hotel) which includes all the land in the block bounded by

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Lafayette Street, Florida Street, Front Street and Convention Street, except a portion located in that corner of the block bordered by Front Street and Convention Street and being more particularly described as follows:

(1) A CERTAIN PARCEL OF GROUND, together with all the buildings and improvements thereon, situated in that State of Louisiana, parish of East Baton Rouge, City of Baton Rouge, in HICKEY, DUNCAN & MATTER TOWN, in SQUARE 93 or 1, bounded by Lafayette Street, Florida Street, Convention Street and Front Street, and according to a survey by Carey Hodges, Land Surveyor, dated June 8, 1973, revised July 20, 1973, and October 8, 1973, entitled "Survey Map of lot 1 thru 10, Square 93 or 1 "Hickey, Duncan & Matter Town" recorded December 7, 1973 at Original 85, Bundle 8586 official records of the Parish of East Baton Rouge, State of Louisiana said parcel of ground being more particularly described as follows:

Commencing at the intersection of the south line of Florida Street with the west line of Lafayette Street run thence along the south line of Florida Street towards Front Street a distance of 230 feet to the intersection of the south line of Florida Street with the east line of Front Street; thence in a southerly direction along the east line of Front Street 128.56 feet to a point; thence run in the direction of Lafayette Street along the line dividing lot 2 from lot 3 a distance of 114.0 feet to the corner common to Lots 2, 3, 8 and 9; thence at right angles run towards Convention Street a distance of 58 feet; thence at right angles run toward Lafayette Street a distance of 128 feet; thence at right angles run in a northerly direction towards Florida Street a distance of 184 feet to the point of beginning, being composed of the remaining portions of Lots 1 and 2, all of Lots 9 and 10 and the northerly 54 feet of Lot 8 said square.

(2) A CERTAIN PARCEL OF GROUND, together with all the buildings and improvements thereon, situated in the State of Louisiana, Parish of East Baton Rouge, City of Baton Rouge in HICKEY, DUNCAN & MATTER TOWN, in Square 93 or 1, bounded by Lafayette Street, Florida Street, Convention Street and Front Street, and according to a survey by Cary Hodges, Land Surveyor, dated June 8, 1973, revised July 20, 1973, and October 8, 1973, said parcel of ground is described as follows:

Commencing at the intersection of the north line of Convention Street with the west line of Lafayette Street, run thence along Convention Street 85.33 feet to a point; thence at right angles towards Florida Street run 62 feet to a point; thence at right angles run towards Front Street 42.67 feet to a point; thence at right angles run towards Florida Street 74 feet; thence at right angles run towards Lafayette Street 128 feet; thence at right angles run along the west line of Lafayette Street 138 feet to the point of beginning. Said parcel of ground is composed of part of Lot 6, all of Lot 7 and the Southern 10 feet of Lot 8 of said Square.

And any other property owned by the Granter located in the block bounded by Lafayette Street, Florida Street, Front Street and Convention Street not described in the two (2) parcels above.

C. Purpose. The district is created to provide for cooperative economic development between the city of Baton Rouge, the Capitol House, and the district, in order to provide for the renovation, restoration, and development of the landmark public facility in the city of Baton Rouge which is known as the Capitol House Hotel, all of such property which has been more specifically herein described.

D. Governance. (1) In order to provide for the orderly development of the district and effectuation of the purposes of the

district, the district shall be administered and governed by a board of commissioners of three persons comprised as follows:

(a) The mayor-president of East Baton Rouge or his designee.

(b) The executive director of the East Baton Rouge Downtown Development District or his designee.

(c) One member appointed by the city-parish metro council.

(2) A majority of the members of the board shall constitute a quorum for the transaction of business. The board shall keep minutes of all meetings and shall make them available for inspection through the board's secretary. The minute books and archives of the district shall be maintained by the board's secretary. The monies, funds, and accounts of the district shall be in the official custody of the board.

(3) The board shall adopt bylaws and prescribe rules to govern its meetings. The members of the board shall serve without salary or per diem and shall be entitled to reimbursement for reasonable, actual and necessary expenses incurred in the performance of their duties.

(4) The domicile of the board shall be established by the board at a location within the district.

(5) The board shall elect from its own members a president, vice-president, secretary and treasurer, whose duties shall be common to such offices or as may be provided by bylaws adopted by the district. At the option of the board or as provided in the bylaws, the offices of secretary and treasurer may be held by one person. The board shall hold regular meetings and may hold special meetings as provided in the bylaws. All such meetings shall be public meetings subject to the provisions of R.S. 42:4.1 et seq.

E. Rights and powers. The district, acting by and through its board of commissioners, shall have and exercise all powers of a political subdivision and special taxing district necessary or convenient for the carrying out of its objects and purposes including but not limited to the following:

(1) To sue and to be sued.

(2) To adopt bylaws and rules and regulations.

(3) To receive by gift, grant, donation or otherwise any sum of money, property, aid or assistance from the United States, the state of Louisiana, or any political subdivision thereof, or any person, firm, or corporation.

(4) For the public purposes of the district to enter into contracts, agreements or cooperative endeavors with the state and its political subdivisions or political corporations and with any public or private association, corporation, business entity, or individual.

(5) Appoint officers, agents, and employees, prescribe their duties, and fix their compensation.

(6) To acquire by gift, grant, purchase, lease, or otherwise such property as may be necessary or desirable for carrying out the objectives and purposes of the district and to mortgage and sell such property.

(7) In its own name and on its own behalf to incur debt and to issue bonds, notes, certificates and other evidences of indebtedness. For this purpose the district shall be deemed and considered to be an issuer for purposes of R.S. 33:9037 and shall, to the extent not in conflict with this Section, be subject to the provisions of R.S. 33:9037.

(8) Establish such funds or accounts as are necessary for the conduct of the affairs of the district.

F. Tax.(1) In order to provide funds for the purposes of the district, the district, acting by and through its board of commissioners, is hereby authorized to levy and collect a tax upon the occupancy of hotel rooms, motel rooms, and overnight camping facilities within the district. The tax rate for such tax shall be at least

equal to the aggregate rate of all such taxes levied and collected within the parish of East Baton Rouge by the state of Louisiana, local governmental subdivisions, and other political subdivisions or special taxing districts.

(2)(a) The word "hotel" as used herein shall mean and include any establishment, both public and private, engaged in the business of furnishing or providing rooms and overnight camping facilities intended or designed for dwelling, lodging, or sleeping purposes to transient guests where such establishment consists of two or more guest rooms and does not encompass any hospital, convalescent, or nursing home or sanitarium, or any hotel-like facility operated by or in connection with a hospital or medical clinic providing rooms exclusively for patients and their families.

(b) The tax shall be paid by the person who exercises or is entitled to occupancy of the hotel room, and shall be paid at the time the rent or fee of occupancy is paid. The word "person" as used herein shall have the same meaning as contained in R.S. 47:301(8).

(c) The hotel shall not advertise room rates to the general public at below market rates.

(3) The tax so authorized shall be imposed by ordinance adopted by the district, acting by and through its board of commissioners, without the need of an election.

(4) It is hereby recognized that without the accomplishment of the purposes of the district that there would be no collection of a hotel occupancy tax by any taxing authority within the district. Accordingly if the district elects to levy and collect the tax authorized in this Subsection, such levy shall be deemed to supersede and be in lieu of any other tax on hotel occupancy within the district except for any such tax which is based on a per head or per person basis.

G. Hotel occupancy tax financing. (1)(a) The district may issue revenue bonds payable from an irrevocable pledge and dedication of up to the full amount of hotel occupancy tax increments, in an amount to be determined by the district, to finance or refinance any project or projects, or parts thereof, which are consistent with the purposes of the district. A hotel occupancy tax increment shall consist of that portion of the hotel occupancy tax revenues collected by the district in an amount determined by the board of commissioners and which is in lieu of other such taxes levied by other taxing authorities.

(b) Dedication of hotel occupancy tax increments to pay the revenue bonds, shall not impair existing obligations of the district and shall not include tax revenues previously dedicated by the district for a special purpose.

(2) The district may pledge the taxes collected under the authority of this Section to any financing of the Capitol House property in furtherance of the purposes of the district. Such financing could include, but shall not be limited to loans, mortgages, the issuance of bonds, or the issuance of certificates of indebtedness.

H. Term. The district shall dissolve and cease to exist one year after the earlier of the date all bonds, notes, and other evidences of indebtedness of the district, including refunding bonds are paid in full as to both principal and interest; however, under no event shall the district have an existence of less than three years.

I. Liberal Construction. This Section, being necessary for the welfare of the city parish and its residents, shall be liberally construed to effect the purposes thereof."

#### AMENDMENT NO. 7

On page 15, line 9, change "Section 2. This Act" to "Section 3. Section 1 of this Act"

#### AMENDMENT NO. 8

On page 15, line 13, change "this Act" to "Section 1 of this Act"

#### AMENDMENT NO. 9

On page 15, after line 14, insert the following:

"Section 4. Section 2 of this Act shall become effective only when title to the property described in R.S. 33:9039(B) is transferred to the East Baton Rouge City-Parish."

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative DeWitt to Reengrossed Senate Bill No. 105 by Senators Boissiere and Bajoie

#### AMENDMENT NO. 1

On page 1, line 2, after "R.S. 33:9038" delete the comma "," and insert "and 9039,"

#### AMENDMENT NO. 2

On page 1, line 4, after "Orleans;" insert "to authorize the creation of a special taxing and tax increment financing district for the benefit of a hotel in the city of Alexandria;"

#### AMENDMENT NO. 3

On page 1, line 5, change "district" to "districts"

#### AMENDMENT NO. 4

On page 1, line 6, change "district" to "districts"

#### AMENDMENT NO. 5

On page 1, line 8, change "district" to "districts"

#### AMENDMENT NO. 6

On page 15, between lines 8 and 9, insert the following:

"Section 2. R.S. 33:9039 is hereby enacted to read as follows:

#### **R.S. 33:9039 is all proposed new law.**

§9039. Taxing district in Alexandria

A. Creation. The governing authority of the city of Alexandria may create a special taxing district and political subdivision of the state, hereinafter referred to as the "district" to fund renovations to a hotel in the city.

B. Boundaries. The ordinance creating the district shall establish its boundaries.

C. Purpose. The district shall have as its purpose cooperative economic development between the city of Alexandria, the hotel in the district, and the district, in order to provide for the renovation, restoration, and development of a hotel in the city of Alexandria.

D. Governance. In order to provide for the orderly development of the district and effectuation of the purposes of the district, the district shall be administered and governed by a board of commissioners established by the municipal governing authority in the ordinance creating the district.

E. Rights and powers. The district, acting by and through its board of commissioners, shall have and exercise all powers of a political subdivision and special taxing district necessary or

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convenient for the carrying out of its objects and purposes including but not limited to the following:

- (1) To sue and to be sued.
- (2) To adopt bylaws and rules and regulations.
- (3) To receive by gift, grant, donation or otherwise any sum of money, property, aid or assistance from the United States, the state of Louisiana, or any political subdivision thereof, or any person, firm, or corporation.

(4) For the public purposes of the district to enter into contracts, agreements or cooperative endeavors with the state and its political subdivisions or political corporations and with any public or private association, corporation, business entity, or individual.

(5) Appoint officers, agents, and employees, prescribe their duties, and fix their compensation.

(6) To acquire by gift, grant, purchase, lease, or otherwise such property as may be necessary or desirable for carrying out the objectives and purposes of the district and to mortgage and sell such property.

(7) In its own name and on its own behalf to incur debt and to issue bonds, notes, certificates and other evidences of indebtedness. For this purpose the district shall be deemed and considered to be an issuer for purposes of R.S. 33:9037 and shall, to the extent not in conflict with this Section, be subject to the provisions of R.S. 33:9037.

(8) Establish such funds or accounts as are necessary for the conduct of the affairs of the district.

F. Tax.(1) In order to provide funds for the purposes of the district, the district, acting by and through its board of commissioners, is hereby authorized to levy and collect a tax upon the occupancy of hotel rooms, motel rooms, and overnight camping facilities within the district. The tax rate for such tax shall be at least equal to the aggregate rate of all such taxes levied and collected within the city of Alexandria by the state of Louisiana, local governmental subdivisions, and other political subdivisions or special taxing districts.

(2)(a) The word "hotel" as used herein shall mean and include any establishment, both public and private, engaged in the business of furnishing or providing rooms and overnight camping facilities intended or designed for dwelling, lodging, or sleeping purposes to transient guests where such establishment consists of two or more guest rooms and does not encompass any hospital, convalescent, or nursing home or sanitarium, or any hotel-like facility operated by or in connection with a hospital or medical clinic providing rooms exclusively for patients and their families.

(b) The tax shall be paid by the person who exercises or is entitled to occupancy of the hotel room, and shall be paid at the time the rent or fee of occupancy is paid. The word "person" as used herein shall have the same meaning as contained in R.S. 47:301(8).

(c) The hotel shall not advertise room rates to the general public at below market rates.

(3) The tax so authorized shall be imposed by ordinance adopted by the district, acting by and through its board of commissioners, without the need of an election.

(4) It is hereby recognized that without the accomplishment of the purposes of the district that there would be no collection of a hotel occupancy tax by any taxing authority within the district. Accordingly if the district elects to levy and collect the tax authorized in this Subsection, such levy shall be deemed to supersede and be in lieu of any other tax on hotel occupancy within the district except for any such tax which is based on a per head or per person basis.

G. Hotel occupancy tax financing. (1)(a) The district may issue revenue bonds payable from an irrevocable pledge and dedication of up to the full amount of hotel occupancy tax increments, in an amount to be determined by the district, to finance or refinance any project or projects, or parts thereof, which are consistent with the purposes of the district. A hotel occupancy tax increment shall consist of that portion of the hotel occupancy tax revenues collected by the district in an amount determined by the board of commissioners and which is in lieu of other such taxes levied by other taxing authorities.

(b) Dedication of hotel occupancy tax increments to pay the revenue bonds, shall not impair existing obligations of the district and shall not include tax revenues previously dedicated by the district for a special purpose.

(2) The district may pledge the taxes collected under the authority of this Section to any financing of the hotel property in furtherance of the purposes of the district. Such financing could include, but shall not be limited to loans, mortgages, the issuance of bonds, or the issuance of certificates of indebtedness.

H. Term. The district shall dissolve and cease to exist one year after the earlier of the date all bonds, notes, and other evidences of indebtedness of the district, including refunding bonds are paid in full as to both principal and interest; however, under no event shall the district have an existence of less than three years.

I. Liberal Construction. This Section, being necessary for the welfare of the city and its residents, shall be liberally construed to effect the purposes thereof."

AMENDMENT NO. 7

On page 15, line 9, change "Section 2. "Section 3."

Senator Boissiere moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Lentini
Bajoie	Heitmeier	Malone
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Dardenne	Hoyt	Smith
Dupre	Irons	Tarver
Ellington	Jones, B	Theunissen
Fields	Jones, C	Ullo
Fontenot	Lambert	
Total—29		

NAYS

Dean
Total—1

ABSENT

Barham	Cravins	McPherson
Campbell	Johnson	Schedler
Chaisson	Marionneaux	Thomas

Total—9

The Chair declared the amendments proposed by the House were concurred in. Senator Boissiere moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 107—**  
BY SENATORS SCHEDLER, BOISSIERE AND HAINKEL  
**AN ACT**

To enact R.S. 9:2795.2, relative to civil liability; to provide for the limitation of liability for the Audubon Commission, the city of New Orleans, and any other entity which operates any facilities of the Audubon Commission; to provide for the limitation of liability for any loss or damage that results from the use of Hurst Walk in Audubon Park; to provide for exceptions; to provide for required warning signs; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 107 by Senator Schedler

AMENDMENT NO. 1

On page 2, line 24, after "area" delete the remainder of the line and delete lines 25 through 27, and on page 3, delete lines 1 through 3 in their entirety and insert the following:

"except for intentional or grossly negligent acts by an agent or employee of the Audubon Commission, the city of the New Orleans, or any other entity which operates any facilities of the Audubon Commission, including but not limited to the Audubon Nature Institute."

AMENDMENT NO. 2

On page 3, line 9, change "Section" to "Subsection"

AMENDMENT NO. 3

On page 3, line 12, after "carts." and before "Proceed" insert the following:

"The Audubon Commission, the city of New Orleans, or any other entity which operates any facilities of the Audubon Commission, including but not limited to the Audubon Nature Institute, shall not be liable for your injury or death resulting from your use of this area."

Senator Schedler moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Dardenne	Hoyt	Schedler
Dean	Irons	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, C	Theunissen
Fields	Lambert	Ullio
Fontenot	Lentini	

Total—32

NAYS

Total—0

ABSENT

Barham	Cravins	Thomas
Campbell	Johnson	
Chaisson	McPherson	
Total—7		

The Chair declared the amendments proposed by the House were concurred in. Senator Schedler moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 108 (Substitute for Senate Bill No. 86 by Senators Dardenne, Barham and Hollis)—**

BY SENATORS DARDENNE, BARHAM, HOLLIS, IRONS AND SCHEDLER  
**AN ACT**

To amend and reenact R.S. 47:6007, relative to the motion picture investor tax credit; to provide for definitions; to provide for productions eligible for the credit and the amount of such credit; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Reengrossed Senate Bill No. 108 by Senator Dardenne

AMENDMENT NO. 1

On page 5, line 1, after "Louisiana" and before the period "." insert "other than motion picture production companies"

AMENDMENT NO. 2

On page 8, line 8, after "R.S. 47:6007(E)" and before the period "." insert "ends"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Pinac to Reengrossed Senate Bill No. 108 by Senator Dardenne et al.

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:6007" and before the comma "," insert "and to enact R.S. 47:1125.1" and after "motion" delete the

remainder of the line and insert "pictures; to provide for the motion picture investor tax"

AMENDMENT NO. 2

On page 1, line 3, after "credit" and before the semicolon ";" insert "and the Louisiana Motion Picture Incentive Act"

AMENDMENT NO. 3

On page 1, line 4, after "credit;" and before "and" insert "to provide for the use of the credit;"

AMENDMENT NO. 4

On page 9, between lines 7 and 8, insert:

"Section 2. R.S. 47:1125.1 is hereby enacted to read as follows:

§1125.1. Employment tax credit

A. Until July 1, 2006, a motion picture production company shall be entitled to a tax credit for the employment of residents of Louisiana in connection with production of a motion picture. The credit shall be equal to ten percent of the total aggregate payroll for residents employed in connection with such production when total production costs in Louisiana equal or exceed three hundred thousand dollars but total less than one million dollars during the taxable year. The credit shall be equal to twenty percent of the total aggregate payroll for residents employed in connection with such production when total production costs in Louisiana equal or exceed one million dollars during the taxable year. For purposes of this Section, the term "total aggregate payroll" shall not include the salary of any employee whose salary is equal to or greater than one million dollars.

B. The credit may be applied to any income tax or corporation franchise tax liability applicable to the motion picture production company.

C. If the motion picture production company is an entity not subject to income or franchise tax, the credit shall flow through to its partners or members as follows:

(1) Corporate partners or members shall claim their share of the credit on their corporation income or corporation franchise tax returns.

(2) Individual partners or members shall claim their share of the credit on their individual income tax returns.

(3) Partners or members that are estates or trusts shall claim their share of the credit on their fiduciary income tax returns.

D. Any unused credit may be carried forward no more than ten years from the date the credit was earned.

E. The secretary of the Department of Revenue shall promulgate such rules and regulations as may be necessary to administer this Section.

Section 3. In the event of a conflict between the provisions of R.S. 47:1125.1 as enacted in Section 2 of this Act and the provisions of R.S. 47:1125.1 of the Act which originated as House Bill No. 17 of the First Extraordinary Session of 2002, regardless of which Act is adopted later or signed later by the governor, the provisions of this Act shall prevail."

AMENDMENT NO. 5

On page 9, line 8, change "Section 2." to "Section 4."

Senator Dardenne moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, NAYS. Lists names of senators and their counts for YEAS and NAYS.

NAYS

Total—0

ABSENT

Table with 3 columns: Name, YEAS, NAYS. Lists names of senators and their counts for ABSENT.

The Chair declared the amendments proposed by the House were concurred in. Senator Dardenne moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Rules Suspended

Senator Dardenne asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Senate Concurrent Resolutions on Second Reading Reported by Committees

The following Senate Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 1— BY SENATOR FIELDS

A CONCURRENT RESOLUTION

To request submission of insurance company balance sheets for review by the legislative insurance committees and review by such committees of Insurance Rating Commission practices in approving rate increases.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance Original Senate Concurrent Resolution No. 1 by Senator Fields

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and insert in lieu thereof the following:

"request that the"

AMENDMENT NO. 2

On page 1, delete line 3 in its entirety and insert in lieu thereof the following:

"Senate and House Committees on Insurance act as a joint committee to study the information submitted by insurers to the"

AMENDMENT NO. 3

On page 1, line 4, after "Commission" delete the remainder of the line and insert in lieu thereof the following:

"when seeking rate increases or adjustments and whether such information submitted is sufficient to justify such increase or adjustment and the practices of the commission and factors considered by the commission in granting or denying a rate increase or adjustment."

AMENDMENT NO. 4

On page 2, line 4, after "requests" delete the remainder of the line and delete lines 5 through 19 in their entirety and insert in lieu thereof the following:

"that the Senate and House Committees on Insurance act as a joint committee to study the information submitted by insurers to the Insurance Rating Commission when seeking rate increases or adjustments and whether such information submitted is sufficient to justify such increase or adjustment and the practices of the commission and factors considered by the commission in granting or denying a rate increase or adjustment."

AMENDMENT NO. 5

On page 2, line 20, after "that" delete the remainder of the line and insert the following:

"the joint committee submit a report of its study to the legislature with such recommendations deemed appropriate prior to the end of the 2002 Regular Session."

AMENDMENT NO. 6

On page 2, delete lines 21 through 23 in their entirety.

On motion of Senator Tarver, the committee amendment was adopted.

The resolution was read by title. Senator Fields moved to adopt the amended Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

Bajoie                      Heitmeier                      Malone

Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Dardenne	Hoyt	Smith
Dean	Irons	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, C	Ullo
Fields	Lambert	
Gautreaux	Lentini	
Total—28		

NAYS

Total—0

ABSENT

Mr. President	Cravins	McPherson
Barham	Fontenot	Schedler
Campbell	Johnson	Thomas
Chaisson	Marionneau	
Total—11		

The Chair declared the Senate had adopted the amended Senate Concurrent Resolution and ordered it engrossed and sent to the House.

**Rules Suspended**

Senator Theunissen asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Bills and Joint Resolutions on Third Reading and Final Passage**

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

**SENATE BILL NO. 118—**  
BY SENATOR THEUNISSEN

AN ACT

To enact R.S. 23:1660(G), relative to employment records and reports; to provide for data sharing among agencies for the purposes of performance accountability and reporting; to provide for confidentiality of data; to provide for penalties for breach of confidentiality; and to provide for related matters.

On motion of Senator Theunissen, the bill was read by title and returned to the Calendar, subject to call.

**Mr. President in the Chair**

**Rules Suspended**

Senator Lentini asked for and obtained a suspension of the rules for the purpose of taking up at this time.

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House Concurrent Resolutions on Second Reading Reported by Committees

The following House Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 4— BY REPRESENTATIVE BOWLER A CONCURRENT RESOLUTION

To authorize and request the Louisiana State Law Institute to review certain statutory provisions and change references in the Insurance Code and other titles of the Louisiana Revised Statutes of 1950 due to the enactment of Act No. 158 of the 2001 Regular Session.

Reported favorably by the Committee on Insurance.

The resolution was read by title. Senator Lentini moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoie, Bean, Boissiere, Cain, Dardenne, Dean, Dupre, Ellington, Fontenot, Total—30; Gautreaux, Heitmeier, Hines, Holden, Hollis, Hoyt, Irons, Jones, B, Jones, C, Lambert; Lentini, Malone, Michot, Mount, Romero, Smith, Tarver, Theunissen, Thomas, Ullo.

NAYS

Total—0

ABSENT

Table with 3 columns of names: Barham, Campbell, Chaisson, Total—9; Cravins, Fields, Johnson; Marionneaux, McPherson, Schedler.

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 18— BY REPRESENTATIVE LEBLANC A CONCURRENT RESOLUTION

To extend the time for the Louisiana Advisory Commission on Intergovernmental Relations to report its findings to the legislature on what services government should provide and the responsibilities of state and local government to provide and fund such services to 2003.

Reported favorably by the Committee on Senate and Governmental Affairs.

The resolution was read by title. Senator Michot moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoie, Bean, Boissiere, Cain, Dardenne, Dean, Dupre, Ellington, Fontenot, Gautreaux, Total—31; Heitmeier, Hines, Holden, Hollis, Hoyt, Irons, Jones, B, Jones, C, Lambert, Lentini, Malone; Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo.

NAYS

Total—0

ABSENT

Table with 3 columns of names: Barham, Campbell, Chaisson, Total—8; Cravins, Fields, Johnson; Marionneaux, McPherson.

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 19— BY REPRESENTATIVE FAUCHEUX A CONCURRENT RESOLUTION

To request the Office of State Parks of the Louisiana Department of Culture, Recreation and Tourism and the Louisiana Department of Wildlife and Fisheries to develop a plan for establishing state parks with rental cabins in wildlife management areas.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Concurrent Resolution No. 19 by Representative Fauchaux

AMENDMENT NO. 1

On page 1, line 5, after "cabins" insert "and recreational vehicle and camper parking areas"

AMENDMENT NO. 2

On page 3, line 14 after "cabins" insert "and recreational vehicle and camper parking areas"

AMENDMENT NO. 3

On page 3, line 21, after "cabins" insert "and recreational vehicle and camper parking areas"

On motion of Senator Romero, the committee amendment was adopted.

The resolution was read by title. Senator Gautreaux moved to concur in the amended House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Absent. Lists names like Mr. President, Bean, Boissiere, etc.

NAYS

Total—0

ABSENT

Table with 3 columns: Name, Absent, Present. Lists names like Bajoie, Barham, Campbell, etc.

The Chair declared the Senate had concurred in the amended House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 27—

BY REPRESENTATIVE CURTIS

A CONCURRENT RESOLUTION

To encourage each city, parish, and other local public school board to adopt a policy or policies to require an attendant for each school bus used to transport students in its system in grades kindergarten through eight.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Concurrent Resolution No. 27 by Representative Curtis

AMENDMENT NO. 1

On page 1, line 3, before "attendant" insert "unpaid"

AMENDMENT NO. 2

On page 2, line 22, before "attendant" insert "unpaid"

On motion of Senator Theunissen, the committee amendment was adopted.

The resolution was read by title. Senator Hines moved to concur in the amended House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Absent. Lists names like Barham, Bean, Boissiere, etc.

NAYS

Table with 2 columns: Name, Nays. Lists names like Dean, Fontenot.

ABSENT

Table with 3 columns: Name, Absent, Present. Lists names like Mr. President, Bajoie, Campbell, etc.

The Chair declared the Senate had concurred in the amended House Concurrent Resolution and ordered it returned to the House.

Personal Privilege

Senator Fontenot asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Concurrent Resolution No. 27. He voted nay on the resolution and had intended to vote yea. He asked that the Official Journal so state.

HOUSE CONCURRENT RESOLUTION NO. 30—

BY REPRESENTATIVES CROWE AND NEVERS

A CONCURRENT RESOLUTION

To memorialize congress to adopt and submit to the states for ratification a proposed amendment to the United States Constitution permitting prayer and recognition of religious beliefs on public property, including schools.

Reported favorably by the Committee on Education.

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The resolution was read by title. Senator Smith moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Gautreaux	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Bean	Hollis	Romero
Boissiere	Hoyt	Schedler
Cain	Irons	Smith
Cravins	Jones, B	Tarver
Dardenne	Jones, C	Theunissen
Dean	Lambert	Thomas
Dupre	Lentini	Ullo
Ellington	Malone	
Fontenot	Marionneaux	
Total—34		

**NAYS**

Total—0

**ABSENT**

Campbell	Fields	Johnson
Chaisson	Holden	
Total—5		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 40—**  
BY REPRESENTATIVE DURAND

**A CONCURRENT RESOLUTION**

To praise the National Family Resiliency Program as a unique organization teaching divorced and separated parents ways to make child-focused decisions and to ensure loving parent-child relationships.

Reported favorably by the Committee on Health and Welfare.

The resolution was read by title. Senator Mount moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Gautreaux	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Bean	Holden	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Cravins	Irons	Tarver

Dardenne	Jones, C	Theunissen
Dean	Lambert	Thomas
Dupre	Lentini	Ullo
Ellington	Malone	
Fontenot	Marionneaux	
Total—34		

**NAYS**

Total—0

**ABSENT**

Campbell	Fields	Jones, B
Chaisson	Johnson	
Total—5		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 42—**

BY REPRESENTATIVE LEBLANC

**A CONCURRENT RESOLUTION**

To provide that the legislature approves the Atchafalaya Trace Heritage Area Management Plan and to extend the existence of the Atchafalaya Trace Commission for six years.

Reported favorably by the Committee on Natural Resources.

The resolution was read by title. Senator Hines moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Gautreaux	Marionneaux
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Bean	Holden	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Jones, C	Theunissen
Dean	Lambert	Thomas
Dupre	Lentini	Ullo
Ellington	Malone	
Total—32		

**NAYS**

Total—0

**ABSENT**

Campbell	Fontenot	McPherson
Chaisson	Johnson	
Fields	Jones, B	
Total—7		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 44—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Wildlife and Fisheries Commission and the Department of Wildlife and Fisheries to adopt rules and regulations to allow the use of air boats in the Maurepas Wildlife Management Area, including the tributaries and canals leading to Blind River, except during hunting and rutting season.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original House Concurrent Resolution No. 44 by Representative Fauchaux

AMENDMENT NO. 1

On page 1, line 3, after "to" delete the remainder of the line and insert "study the possibility of allowing the use of air boats in the Maurepas Wildlife Management Area,"

AMENDMENT NO. 2

On page 1, delete line 4 in its entirety

AMENDMENT NO. 3

On page 2, line 7, after "to" delete the remainder of the line and insert "study the possibility of allowing the use of air boats in the Maurepas Wildlife Management Area,"

AMENDMENT NO. 4

On page 2, line 8, delete "air boat tours of the Maurepas WMA,"

On motion of Senator Romero, the committee amendment was adopted.

The resolution was read by title. Senator Hines moved to concur in the amended House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns listing names: Bajoie, Barham, Bean, Boissiere, Cain, Cravins, Dardenne, Dean, Dupre, Ellington, Fontenot, Gautreaux, Total—34

NAYS

Total—0

ABSENT

Table with 3 columns: Mr. President, Campbell, Total—5; Chaisson, Fields; Johnson

The Chair declared the Senate had concurred in the amended House Concurrent Resolution and ordered it returned to the House.

Rules Suspended

Senator Smith asked for and obtained a suspension of the rules for the purpose of taking up at this time.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Senator Lambert in the Chair

HOUSE BILL NO. 1—

BY REPRESENTATIVE BRUCE AND SENATOR SMITH AN ACT

To amend and reenact R.S. 39:551.7(B), relative to the DeSoto Parish Industrial District; to increase the membership of the board of commissioners; to authorize the board to appoint its own treasurer; and to provide for related matters.

The bill was read by title. Senator Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns listing names: Bajoie, Barham, Bean, Boissiere, Cain, Cravins, Dardenne, Dean, Dupre, Ellington, Fontenot, Total—33; Gautreaux, Heitmeier, Hines, Holden, Hollis, Hoyt, Irons, Jones, B, Jones, C, Lambert, Lentini; Malone, Marionneaux, McPherson, Michot, Mount, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo

NAYS

Total—0

ABSENT

Table with 3 columns: Mr. President, Chaisson, Johnson

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Campbell Fields Romero  
Total—6

The Chair declared the bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 3—**

BY REPRESENTATIVE CROWE

AN ACT

To enact R.S. 47:463.108 and 463.109, relative to motor vehicle prestige license plates; to provide for the creation of an In God We Trust prestige license plate and to provide for the creation of a 4-H prestige license plate; to provide for the issuance of such plates; to provide for the style and color of the 4-H prestige license plate; to provide relative to the fees for such plates; to provide for use of such fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

The bill was read by title. Senator Smith moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Bean	Hollis	Mount
Boissiere	Hoyt	Romero
Cain	Irons	Schedler
Cravins	Jones, B	Smith
Dardenne	Jones, C	Tarver
Dupre	Lambert	Theunissen
Ellington	Lentini	Thomas
Fontenot	Malone	Ullo
Total—33		

NAYS

Dean  
Total—1

ABSENT

Campbell	Fields	Johnson
Chaisson	Holden	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 13—**

BY REPRESENTATIVES PERKINS, BEARD, BROOME, CROWE, FUTRELL, M. JACKSON, AND NEVERS AND SENATOR CAIN

AN ACT

To amend and reenact R.S. 17:2115(A), relative to prayer and meditation in schools; to require that prayer or meditation

authorized for students and teachers be silent prayer or meditation; and to provide for related matters.

The bill was read by title. Senator Cain moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Bean	Hollis	Mount
Boissiere	Hoyt	Romero
Cain	Irons	Schedler
Cravins	Jones, B	Smith
Dardenne	Jones, C	Tarver
Dean	Lambert	Theunissen
Dupre	Lentini	Thomas
Fontenot	Malone	Ullo
Total—33		

NAYS

Total—0

ABSENT

Campbell	Ellington	Holden
Chaisson	Fields	Johnson
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Cain moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 21—**

BY REPRESENTATIVE THOMPSON

AN ACT

To amend and reenact R.S. 17:221(F) and to enact R.S. 17:221(I), relative to school attendance; to provide relative to eligibility, guidelines, and procedures permitting certain students to attend alternative education programs or vocational-technical programs; to provide relative to participation by certain students in adult education programs that are approved by the State Board of Elementary and Secondary Education, including that such participation shall be considered as compliance by a parent, tutor, or other person responsible for the school attendance of such a student with specified compulsory school attendance requirements; to provide for effective dates; and to provide for related matters.

The bill was read by title. Senator Theunissen moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Heitmeier	McPherson
Bajoie	Hines	Michot
Barham	Holden	Mount
Bean	Hollis	Romero
Boissiere	Hoyt	Schedler
Cain	Irons	Smith
Dardenne	Jones, B	Tarver
Dean	Jones, C	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Fontenot	Malone	
Gautreaux	Marionneaux	
Total—34		

**NAYS**

Total—0

**ABSENT**

Campbell	Cravins	Johnson
Chaisson	Fields	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Theunissen moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 22—**

BY REPRESENTATIVE JANE SMITH  
AN ACT

To enact R.S. 17:2115.11, relative to voluntary student prayer; to provide relative to participation by students in Bossier Parish public schools in voluntary, student-led prayer; to provide conditions; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Hoyt sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hoyt to Engrossed House Bill No. 22 by Representative Jane Smith

AMENDMENT NO. 1

In Senate Committee Amendment No 3 proposed by the Senate Committee on Education and adopted by the Senate on April 9, 2002, on page 1, line 9, change "incurred toward defending against" to "of"

On motion of Senator Hoyt, the amendments were adopted.

The bill was read by title. Senator Malone moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Bean	Hollis	Mount
Boissiere	Hoyt	Romero
Cain	Irons	Schedler
Dardenne	Jones, B	Smith
Dean	Jones, C	Tarver
Dupre	Lambert	Theunissen
Ellington	Lentini	Thomas
Fontenot	Malone	Ullo
Gautreaux	Marionneaux	
Total—32		

**NAYS**

Total—0

**ABSENT**

Mr. President	Cravins	Johnson
Campbell	Fields	
Chaisson	Holden	
Total—7		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 31—**

BY REPRESENTATIVE HOPKINS  
AN ACT

To amend and reenact R.S. 41:1338(A) and to repeal R.S. 41:1338(D), relative to public property; to exempt property acquired or transferred by the city of Shreveport or Caddo Parish from the requirement that if property which was acquired by the state or a political subdivision of the state is to be transferred to a third party, that property shall first be offered to the person from whom it was originally transferred; and to provide for related matters.

The bill was read by title. Senator Malone moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Bean	Holden	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Jones, C	Theunissen

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Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Fontenot	Malone	
Gautreaux	McPherson	
Total—31		
	NAYS	
Total—0		
	ABSENT	
Mr. President	Cravins	Jones, B
Campbell	Fields	Marionneaux
Chaisson	Johnson	
Total—8		

The Chair declared the bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 39—**  
BY REPRESENTATIVE GARY SMITH  
AN ACT

To enact R.S. 56:1855(L), relative to scenic rivers; to authorize the Department of Wildlife and Fisheries to permit certain activities on Bayou Trepagnier in St. Charles Parish; to provide for the procedures to be followed when permitting those activities; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

	YEAS	
Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Jones, B	Tarver
Dupre	Jones, C	Theunissen
Ellington	Lambert	Thomas
Fields	Lentini	Ullo
Total—36		
	NAYS	
Total—0		
	ABSENT	
Mr. President	Cravins	Johnson
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 40—**  
BY REPRESENTATIVE BRUNEAU AND SENATOR IRONS  
AN ACT

To enact R.S. 33:9091.1, relative to crime prevention and security in the Lake Vista area of Orleans Parish; to create the Lake Vista Crime Prevention District; to provide relative to the purposes, governance, duties, and authority of the district; to authorize the governing authority of the city of New Orleans, subject to the approval of district voters, to impose a parcel fee within the district and to provide further relative to such fee; to provide relative to funds of the district; and to provide for related matters.

The bill was read by title. Senator Irons moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

	YEAS	
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Bean	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Jones, B	Tarver
Dean	Jones, C	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Fontenot	Malone	
Gautreaux	Marionneaux	
Total—34		
	NAYS	
Total—0		
	ABSENT	
Mr. President	Chaisson	Johnson
Campbell	Fields	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Irons moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 47—**  
BY REPRESENTATIVE SCALISE  
AN ACT

To enact R.S. 15:709, relative to prisons and correctional institutions; to prohibit prisoners convicted in other states from being housed in certain correctional facilities in Louisiana; to require that certain prisoners convicted in other states housed in local jails or private facilities in Louisiana be returned to the state where

convicted for release in that state; to provide for definitions; to provide for exceptions; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Hollis sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hollis to Reengrossed House Bill No. 47 by Senator Hollis

AMENDMENT NO. 1

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Judiciary B and adopted by the Senate on April 8, 2002, on line 3, after "A" and before "private" delete "local jail or"

On motion of Senator Hollis, the amendments were adopted.

The bill was read by title. Senator Hollis moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Campbell	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, C	Ullo
Dupre	Lambert	
Ellington	Lentini	
Total—37		

**NAYS**

Total—0

**ABSENT**

Johnson	Thomas
Total—2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 50—**

BY REPRESENTATIVES BALDONE, DOWNER, ROMERO, AND THOMPSON

**AN ACT**

To amend and reenact R.S. 56:643(B), relative to hunting and fishing licenses; to exempt Louisiana residents on active military duty from the requirement for purchase of a basic recreational fishing

license, a saltwater license, and all state hunting licenses and permits; and to provide for related matters.

The bill was read by title. Senator Gautreaux moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Bean	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Jones, B	Tarver
Dean	Jones, C	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Fontenot	Malone	
Gautreaux	Marionneaux	
Total—34		

**NAYS**

Total—0

**ABSENT**

Mr. President	Chaisson	Johnson
Campbell	Fields	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 53—**

BY REPRESENTATIVES DOWNER, E. ALEXANDER, R.ALEXANDER, BAUDOIN, BROOME, BRUCE, CAPELLA, R. CARTER, CLARKSON, CRANE, CURTIS, DARTEZ, DIEZ, DURAND, ERDEY, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOT, HAMMETT, HEATON, HUTTER, JOHNS, KATZ, KENNARD, KENNEY, LANDRIEU, MCCALLUM, MCDONALD, MONTGOMERY, NEVERS, PINAC, POWELL, PRATT, QUEZAIRE, SHAW, JANE SMITH, JOHN SMITH, STELLY, STRAIN, THOMPSON, WADDELL, WALSWORTH, WOOTON, AND WRIGHT

**AN ACT**

To amend and reenact R.S. 14:30(A)(1), R.S. 15:1308(A)(introductory paragraph), and R.S. 44:3(A)(3) and to enact Subpart D of Part VII of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 14:128.1 and 128.2, and R.S. 15:1308(A)(2)(o) and (p), relative to terrorism; to enact the Louisiana Anti-terrorism Act; to create the crime of terrorism; to create the crime of aiding others in terrorism; to provide for criminal penalties; to provide relative to the interception and disclosure of wire and oral communications related to crimes of terrorism; to provide relative to first degree murder with respect to terrorism; to provide relative to the public records law; to direct the Louisiana State Law Institute to redesignate certain provisions of current law; to provide for exceptions; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert to Reengrossed House Bill No. 53 by Representative Downer

AMENDMENT NO. 1

In Senate Committee Amendment No. 4, proposed by the committee on Judiciary C to Reengrossed House Bill 53 by Representative Downer, on line 23, add asterisks "\* \* \*"

AMENDMENT NO. 2

In Senate Committee Amendment No. 9, proposed by the committee on Judiciary C to Reengrossed House Bill 53 by Representative Downer, on line 4, after "line 3," insert "add"

On motion of Senator Lambert, the amendments were adopted.

Floor Amendments Sent Up

Senator Dupre sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dupre to Reengrossed House Bill No. 53 by Representative Downer

AMENDMENT NO. 1

On page 7, line 8, after "districts," delete "or"

AMENDMENT NO. 2

On page 7, line 8, after "agencies" insert ", or publicly owned water districts"

On motion of Senator Dupre, the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Dardenne and B. Jones to Reengrossed House Bill No. 53 by Representative Downer

AMENDMENT NO. 1

On page 6, line 5, change "The" to "(1) Until June 30, 2005, the"

AMENDMENT NO. 2

On page 6, between lines 16 and 17, insert the following:

"(2) On and after July 1, 2005, the attorney general, with the approval of the district attorney in whose district the interception of wire or oral communications shall take place, and the district attorney, with the approval of the attorney general, may authorize an application to a judge in whose district the interception of wire or oral communications shall take place, and such judge may grant in

conformity with R.S. 15:1310 an order authorizing or approving the interception of wire or oral communications by an investigative or law enforcement officer having responsibility for the investigation of the offense as to which the application is made, when such interception may provide or has provided evidence of:"

AMENDMENT NO. 3

On page 6, line 21, after "(o)" insert "(i)"

AMENDMENT NO. 4

On page 6, between lines 21 and 22, insert "(ii) The provisions of this Subparagraph shall have no effect on and after July 1, 2005."

AMENDMENT NO. 5

On page 6, line 22, after "(p)" insert "(i)"

AMENDMENT NO. 6

On page 6, between lines 22 and 23, insert "(iii) The provisions of this Subparagraph shall have no effect on and after July 1, 2005."

AMENDMENT NO. 7

On page 7, line 11, after "(3)" change "Records" to "(a) Through June 30, 2005, records"

AMENDMENT NO. 8

On page 7, between lines 18 and 19, insert the following:

"(b) On and after July 1, 2005, records containing security procedures, investigative training information or aids, investigative techniques, investigative technical equipment or instructions on the use thereof, or internal security information: or"

Senator Dardenne moved adoption of the amendments.

Senator Lentini objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Boissiere, Campbell, Chaisson, Dardenne, Dean, Fontenot, Total—22; Holden, Hollis, Hoyt, Irons, Jones, B, Jones, C, Malone, Marionneaux; Michot, Mount, Romero, Tarver, Theunissen, Ullo

NAYS

Table with 3 columns of names: Bean, Cain, Ellington, Heitmeier, Total—10; Hines, Lambert, Lentini, Schedler; Smith, Thomas

ABSENT

Mr. President	Fields	McPherson
Cravins	Gautreaux	
Dupre	Johnson	
Total—7		

The Chair declared the amendments were adopted.

**Floor Amendments Sent Up**

Senator C. Jones sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator C. Jones to Reengrossed House Bill No. 53 by Representative Downer

AMENDMENT NO. 1

On page 7, line 16, after "including" delete "but not limited to"

Senator C. Jones moved adoption of the amendments.

Senator Lentini objected.

**ROLL CALL**

The roll was called with the following result:

	YEAS	
Bajoie	Holden	Jones, C
Fields	Irons	Marionneaux
Total—6		

	NAYS	
Barham	Gautreaux	Mount
Bean	Heitmeier	Romero
Boissiere	Hines	Smith
Cain	Hollis	Tarver
Chaisson	Jones, B	Theunissen
Dardenne	Lambert	Thomas
Dean	Lentini	Ullo
Ellington	Malone	
Fontenot	Michot	
Total—25		

	ABSENT	
Mr. President	Dupre	McPherson
Campbell	Hoyt	Schedler
Cravins	Johnson	
Total—8		

The Chair declared the amendments were rejected.

**Floor Amendments Sent Up**

Senator Chaisson sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Chaisson to Reengrossed House Bill No. 53 by Representative Downer

AMENDMENT NO. 1

In Senate Committee Amendment No. 13 proposed by the Senate Committee on Judiciary C and adopted by the Senate on April 9, 2002, on page 2, line 14, change "any" to "the" and after "or" insert "any"

AMENDMENT NO. 2

In Senate Committee Amendment No. 14 proposed by the Senate Committee on Judiciary C and adopted by the Senate on April 9, 2002, on page 2, line 16, delete "written"

On motion of Senator Chaisson, the amendments were adopted.

**Personal Privilege**

Senator Boissiere asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on the amendment by Senator Chaisson to House Bill No. 53. He voted nay on the amendment and had intended to vote yea. He asked that the Official Journal so state.

The bill was read by title. Senator Lentini moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

	YEAS		
Bajoie	Fontenot	Malone	
Barham	Gautreaux	Marionneaux	
Bean	Heitmeier	McPherson	
Boissiere	Hines	Michot	
Cain	Holden	Mount	
Campbell	Hollis	Romero	
Chaisson	Hoyt	Schedler	
Cravins	Irons	Smith	
Dardenne	Jones, B	Theunissen	
Dupre	Jones, C	Thomas	
Ellington	Lambert	Ullo	
Fields	Lentini		
Total—35			

	NAYS		
Dean			
Total—1			

	ABSENT		
Mr. President	Johnson	Tarver	
Total—3			

The Chair declared the amended bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

April 10, 2002

HOUSE BILL NO. 60—

BY REPRESENTATIVES WALSWORTH, DURAND, GUILLORY, L. JACKSON, KATZ, MCDONALD, SCHWEGMANN, HUNTER, THOMPSON, AND BRUCE

AN ACT

To amend and reenact R.S. 40:2009.20(B)(1) and to enact R.S. 14:403.2(D)(4), relative to reporting incidents of abuse or neglect; to require agencies to notify local law enforcement of certain reports of abuse or neglect; and to provide for related matters.

The bill was read by title. Senator Barham moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, Fields, Total—37; Fontenot, Gautreaux, Heitmeier, Hines, Holden, Hollis, Hoyt, Irons, Jones, B, Jones, C, Lambert, Lentini, Malone; Marionneaux, McPherson, Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo

NAYS

Total—0

ABSENT

Mr. President Johnson
Total—2

The Chair declared the bill was passed. The title was read and adopted. Senator Barham moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 64—

BY REPRESENTATIVES LEBLANC, DURAND, AND KATZ

AN ACT

To amend and reenact R.S. 46:460.6(A) and (E), relative to the individual development account program; to allow persons who meet income eligibility requirements to participate in the individual development account program; and to provide for related matters.

The bill was read by title. Senator B. Jones moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, Total—36; Fields, Fontenot, Gautreaux, Heitmeier, Hines, Holden, Hollis, Hoyt, Irons, Jones, B, Jones, C, Lambert; Lentini, Malone, Marionneaux, Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo

NAYS

Total—0

ABSENT

Mr. President Johnson McPherson
Total—3

The Chair declared the bill was passed. The title was read and adopted. Senator B. Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 66—

BY REPRESENTATIVE HEBERT

AN ACT

To amend and reenact R.S. 22:173.1(C)(1), relative to annuities; to provide for minimum interest rates; and to provide for related matters.

On motion of Senator Cravins, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 68—

BY REPRESENTATIVE SCHWEGMANN

AN ACT

To enact R.S. 36:4(Y) and R.S. 47:463.60, relative to motor vehicles; to provide for the creation of the "Animal Friendly" prestige license plate; to provide for the charge of the plate; to provide relative to the minimum number of applicants for such plate; to create the Pet Overpopulation Fund; to provide for the dedication of revenues; to provide for the Pet Overpopulation Advisory Council; to provide for the adoption of policies and procedures; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Campbell	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, C	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Fields	Malone	

Total—37

**NAYS**

Total—0

**ABSENT**

Mr. President Johnson

Total—2

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 75—**

BY REPRESENTATIVE HEBERT

**AN ACT**

To amend and reenact R.S. 22:1078(B)(3)(a), (9), (10), and (11) and to enact R.S. 22:1078(G), relative to fees and licenses of the Department of Insurance; to modify, increase, and add to certain fee schedules of the Department of Insurance; to authorize rule adoption and promulgation; and to provide for related matters.

The bill was read by title. Senator Lentini moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Fontenot	Lentini
Barham	Gautreaux	Malone
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Campbell	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, C	Thomas

Fields  
Total—33

Lambert

Ullo

**NAYS**

Dean  
Total—1

**ABSENT**

Mr. President  
Chaisson  
Total—5

Johnson  
Marionneaux

McPherson

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 83—**

BY REPRESENTATIVE BRUNEAU

**AN ACT**

To amend and reenact R.S. 18:403, 423(E), 424(C)(1), 551(B)(1)(introductory paragraph) and (2), (C), (D), and (E), 553(A), 571, 572(A), 573(A), (B), (C), (D), and (E)(1), 574(A)(1) and (2) and (B)(6), 1300.2(B), 1300.11, 1302(6), 1306(B), (C)(1), and (F), 1307(A)(3), 1308(A)(1)(b) and (2)(b), 1309(E)(2) and (3) and (F), 1310(A), 1311(C)(1), 1313(B), (F)(1), (2), (4), (5), (6), and (9), (G), and (I)(1), (2)(c), (3), and (4), 1315(B) and (C), 1317, 1353(B) and (C)(2) and (3), 1354(C), 1355(16) and (17), 1361(B), 1363(A)(introductory paragraph), 1373(B), 1374, 1376(A) and (B)(1), and 1433; to enact R.S. 18:531.1, 553.1, 1302(7), 1306(G) and (H), 1309(H), 1309.1, 1313(F)(10), 1333(H), 1351(12), 1361(C), 1363(F), 1364, and 1365; and to repeal R.S. 18:1307(F), 1309(E)(4), and Part V of Chapter 8 of Title 18 of the Louisiana Revised Statutes of 1950, comprised of R.S. 18:1391 through 1399, all relative to elections; to provide relative to voting machines and absentee counting equipment; to provide relative to the composition and preparation of ballots; to provide relative to procedures for absentee voting; to provide relative to commissioners and duties of commissioners; to provide relative to polling places; to provide for the retention of certain records; to provide relative to certain election documents which require a handwritten signature; to provide for the powers, duties, functions, and compensation of certain election officials; and to provide for related matters.

On motion of Senator Hainkel, the bill was read by title and returned to the Calendar, subject to call.

**Appointment of Conference Committee  
on Senate Bill No. 45**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 45: Senators Malone, Fontenot and Schedler.

**Mr. President in the Chair**

Rules Suspended

Senator Ullo asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

April 10, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 13— BY SENATORS BAJOIE AND JOHNSON AND REPRESENTATIVE K. CARTER

A CONCURRENT RESOLUTION

To create a subcommittee of the Senate Local and Municipal Affairs Committee and the House of Representatives Municipal, Parochial and Cultural Affairs Committee to study the feasibility of selling or leasing the Louis Armstrong International Airport and report its findings to the legislature by March 1, 2003.

Reported without amendments.

Respectfully submitted, ALFRED W. SPEER Clerk of the House of Representatives

Introduction of Resolutions, Senate and Concurrent

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 24— BY SENATOR BARHAM

A RESOLUTION

To commend Morehouse Parish School Superintendent, Michael W. Faulk, on the occasion of his retirement.

On motion of Senator Barham, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 25—

BY SENATOR MCPHERSON

A RESOLUTION

To amend and readopt Senate Rule Nos. 10.17(A) and (B) and 13.21 and to adopt Senate Rule No. 13.63(C) of the Rules of Order of the Senate, relative to the passage of legislative instruments in the Senate; to provide for a committee report on legislative instruments; to provide for returning a legislative instrument to the calendar; to provide for the conference committee procedure regarding bills; and to provide for related matters.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Senate and Governmental Affairs.

SENATE RESOLUTION NO. 26—

BY SENATORS BAJOIE AND JOHNSON

A RESOLUTION

To create a subcommittee of the Senate Local and Municipal Affairs Committee to study the feasibility of selling or leasing the Louis Armstrong International Airport and report its findings to the legislature by March 1, 2003.

On motion of Senator Bajoie, the resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 36—

BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Mr. Piet A. Kessels.

The resolution was read by title. Senator Hainkel moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Bajoie, Barham, etc.

NAYS

Total—0

ABSENT

Table with 3 columns: Name, Absent, Total. Lists names like Ellington, Johnson, Lambert, etc.

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS**

April 10, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 56—**  
BY REPRESENTATIVES THOMPSON, BRUCE, CAZAYOUX, FRITH, FRUGE, HILL, HUDSON, ILES, KENNEY, LAFLEUR, MORRISH, AND STRAIN AND SENATORS SMITH AND ELLINGTON  
A CONCURRENT RESOLUTION

To memorialize the Louisiana congressional delegation, the United States Congress, and the President of the United States to support the United States cattle producers by opposing any increased importation of foreign beef into the United States.

**HOUSE CONCURRENT RESOLUTION NO. 57—**  
BY REPRESENTATIVE PERKINS  
A CONCURRENT RESOLUTION

To commend the Public Administration Institute Student Association at Louisiana State University and to recognize April 13, 2002, as the fourth annual PAISA Day.

**HOUSE CONCURRENT RESOLUTION NO. 58—**  
BY REPRESENTATIVE FAUCHEUX  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to erect signs at two separate locations within a certain proximity indicating that a historic landmark is in that area and to create a parking area close to the historic landmark to allow vehicles to be completely off the main traveling lane of that highway.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**House Concurrent Resolutions**

Senator Lambert asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House of Representatives with a view of acting on same:

**HOUSE CONCURRENT RESOLUTION NO. 56—**  
BY REPRESENTATIVES THOMPSON, BRUCE, CAZAYOUX, FRITH, FRUGE, HILL, HUDSON, ILES, KENNEY, LAFLEUR, MORRISH, AND STRAIN AND SENATORS SMITH AND ELLINGTON

A CONCURRENT RESOLUTION  
To memorialize the Louisiana congressional delegation, the United States Congress, and the President of the United States to support the United States cattle producers by opposing any increased importation of foreign beef into the United States.

The resolution was read by title; lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 57—**  
BY REPRESENTATIVE PERKINS  
A CONCURRENT RESOLUTION

To commend the Public Administration Institute Student Association at Louisiana State University and to recognize April 13, 2002, as the fourth annual PAISA Day.

The resolution was read by title; lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 58—**  
BY REPRESENTATIVE FAUCHEUX  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to erect signs at two separate locations within a certain proximity indicating that a historic landmark is in that area and to create a parking area close to the historic landmark to allow vehicles to be completely off the main traveling lane of that highway.

The resolution was read by title; lies over under the rules.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**LOCAL AND MUNICIPAL AFFAIRS**

Senator Bajoie, Chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

April 10, 2002

To the President and Members of the Senate:

I am directed by your Committee on Local and Municipal Affairs to submit the following report:

**HOUSE BILL NO. 135—**  
BY REPRESENTATIVE STRAIN AND SENATOR SCHEDLER  
AN ACT

To amend and reenact R.S. 33:172, relative to municipal annexation procedures; to provide relative to annexation procedures in certain municipalities; to authorize the use of operating agreements between certain municipalities and certain parishes to govern annexation procedures; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
DIANA E. BAJOIE  
Chairwoman

**House Bills and Joint Resolutions  
on Second Reading  
Reported by Committees**

Senator Bajoie asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

**HOUSE BILL NO. 135—**  
BY REPRESENTATIVE STRAIN AND SENATOR SCHEDLER  
AN ACT

To amend and reenact R.S. 33:172, relative to municipal annexation procedures; to provide relative to annexation procedures in certain municipalities; to authorize the use of operating agreements between certain municipalities and certain parishes to govern annexation procedures; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 135 by Representative Strain

AMENDMENT NO. 1

On page 7, after line 27, add the following:

Section 2. The provisions of R.S. 33:172(A)(1) and (D) as contained in Senate Bill No. 41 of the 2002 First Extraordinary Session of the Legislature, if that bill is enacted into law, shall supersede the provisions of R.S. 33:172(A)(1) and (D) as contained in this Act and in any other Act of the 2002 First Extraordinary Session of the Legislature."

AMENDMENT NO. 2

On page 8, line 1, change "Section 2." to "Section 3."

On motion of Senator Bajoie, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

**Motion to Recommit**

Senator Dardenne asked for and obtained a suspension of the rules and recommitted House Bill No. 170 from the Committee on Finance to the Committee on Revenue and Fiscal Affairs.

**Reports of Committees**

The following reports of committees were received and read:

**Privilege Report of the**

**Legislative Bureau**

April 10, 2002

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

**HOUSE BILL NO. 135—**  
BY REPRESENTATIVE STRAIN AND SENATOR SCHEDLER  
AN ACT

To amend and reenact R.S. 33:172, relative to municipal annexation procedures; to provide relative to annexation procedures in certain municipalities; to authorize the use of operating agreements between certain municipalities and certain parishes to govern annexation procedures; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 156—**  
BY REPRESENTATIVES HILL AND THOMPSON AND SENATOR HINES  
AN ACT

To enact R.S. 36:509(R) and Part XXV of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.171 through 3087.185; to create the Allen Parish Reservoir District as a political subdivision and state agency; to provide for a board of commissioners for the district; to provide for the powers and duties of the district including the power to levy taxes and issue bonds; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 169—**  
BY REPRESENTATIVES LEBLANC AND FAUCHEUX  
AN ACT

To amend and reenact R.S. 25:1223.1(A) and 1224(A)(10) and to enact R.S. 25:1222(C), 1223(A)(3), 1224(A)(14), Part II of Chapter 26 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1226 through 1226.6, and R.S. 36:209(M)(3), relative to economic development; to provide for the abolishment of the Atchafalaya Trace advisory board; to provide relative to the membership of the Atchafalaya Trace Commission; to provide for the duties and authority of the commission; to create the Atchafalaya Trace Heritage Area Development Zone; to provide for legislative findings and purposes; to provide for definitions; to create the Atchafalaya Trace Heritage Area Development Zone Review Board and provide for its membership, duties, meetings, bylaws, and transfer; to provide for additional authorities of the commission; to provide for tax benefits for heritage-based concerns located in the development zone; to provide for a formal review and approval process; to allow the Department of Economic Development and the State Board of Commerce and Industry to adopt and promulgate certain rules; to provide for violations and penalties; to provide for the termination and evaluation of the program; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 173—**

BY REPRESENTATIVE CRANE

AN ACT

To enact R.S. 23:1660(G), relative to employment records and reports; to provide for data sharing among certain agencies for the purposes of performance accountability and reporting; to provide for confidentiality of data; to provide for penalties for breach of confidentiality; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 174—**

BY REPRESENTATIVES DEWITT, PITRE, E. ALEXANDER, BALDONE, BAUDOIN, BEARD, BRUCE, CAZAYOUX, DAMICO, DANIEL, DARTEZ, DIEZ, DOWNER, ERDEY, GREEN, HEBERT, HUNTER, JOHNS, KATZ, LAFLEUR, MORRISH, ODINET, PIERRE, PINAC, QUEZAIRE, RIDDLE, SCALISE, JACK SMITH, SNEED, STELLY, STRAIN, TOWNSEND, TUCKER, WADDELL, WALSWORTH, WINSTON, AND WOOTON

AN ACT

To enact R.S. 36:4(Y) and Subpart B-1 of Part II of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:214.11 through 214.15, relative to the Governor's Advisory Commission on Coastal Restoration and Conservation; to create the commission and to provide for its powers, duties, functions, and responsibilities; to provide for the membership and terms; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 175—**

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 46:236.8, relative to child support; to specify the calculation of child support obligations in shared custodial arrangements; to provide for medical support orders; and to provide for related matters.

Reported without amendments.

Respectfully submitted,  
LOUIS LAMBERT  
Chairman

**Adoption of Legislative Bureau Report**

On motion of Senator Lambert, the Bills and Joint Resolutions were read by title and passed to a third reading.

**Privilege Report of the Committee on Senate and Governmental Affairs**

**ENROLLMENTS**

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 10, 2002

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Bills have been properly enrolled:

**SENATE BILL NO. 1—**

BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:553(17) and 559(3), relative to the Louisiana State Employees' Retirement System; to provide with respect to membership of certain employees of the traffic courts for the parish of Orleans; to authorize credit in the judicial retirement plan of the Louisiana State Employees' Retirement System for service as a judicial administrator for the traffic courts for the parish of Orleans and each deputy of the administrator; and to provide for related matters.

**SENATE BILL NO. 7—**

BY SENATOR DUPRE AND REPRESENTATIVE BALDONE

AN ACT

To authorize and empower the Terrebonne Parish School Board to lease certain described property in Terrebonne Parish to the Department of Wildlife and Fisheries; to provide for execution of lease documents; to provide for reservation of mineral rights; and to provide for related matters.

**SENATE BILL NO. 11—**

BY SENATOR HINES AND REPRESENTATIVE HILL

AN ACT

To amend and reenact R.S. 47:302.36(B), relative to the Allen Parish Capital Improvements Fund; to provide for the disposition of monies in the fund; and to provide for related matters.

**SENATE BILL NO. 14—**

BY SENATORS THEUNISSEN, DARDENNE, HOYT, B. JONES, MOUNT AND SCHEDLER

AN ACT

To amend and reenact R.S. 17:10.3 and Section 10 of Act No. 1185 of the 2001 Regular Session of the Legislature, relative to the School and District Accountability Fund; to delete such fund from a general repeal of certain funds effective July 1, 2002; to limit the use of the fund to the provision of rewards to public schools earning monetary rewards as part of the school and district accountability system; and to provide for related matters.

**SENATE BILL NO. 17—**

BY SENATOR THOMAS AND REPRESENTATIVES NEVERS AND STRAIN

AN ACT

To amend and reenact R.S. 46:1053(D)(1), relative to the Washington Parish Hospital Service District Number One; to increase the membership of the board of commissioners for the district; to add a member from the active medical staff of the Riverside Medical Center; to provide for the manner of appointment; to provide for the term of service; and to provide for related matters.

**SENATE BILL NO. 30—**

BY SENATOR HAINKEL AND REPRESENTATIVE CLARKSON  
AN ACT

To enact R.S. 47:463.108, relative to motor vehicles license plates; to provide for a special prestige license plate for breast cancer awareness; to provide for its charge; to provide for the distribution and use of the monies; and to provide for related matters.

**SENATE BILL NO. 34—**

BY SENATOR THEUNISSEN  
AN ACT

To amend and reenact R.S. 33:4067, relative to the merger of the Cameron

**SENATE BILL NO. 35—**

BY SENATOR THEUNISSEN  
AN ACT

To amend and reenact R.S. 17:525(A), relative to the promotion of certain school employees in certain school systems; to reinstate provisions providing for the probationary period in the position to which an employee is promoted; and to provide for related matters.

**SENATE BILL NO. 38—**

BY SENATOR MCPHERSON AND REPRESENTATIVE CURTIS  
AN ACT

To amend and reenact Sections 1 and 2 of Act 484 of the 2001 Regular Session of the Legislature which authorizes and empowers the Board of Commissioners of the Red River, Atchafalaya, and Bayou Boeuf Levee District to exchange title to certain properties in Rapides Parish with the Hemphill Star Church and Hemphill Star Cemetery; and to provide for related matters.

**SENATE BILL NO. 39—**

BY SENATOR BAJOEI  
AN ACT

To amend Sections 2 and 8 of Act 22 of the 2001 Regular Session of the Legislature, relative to the capital outlay budget; to provide for certain exemptions relative to contractual obligations established prior to the execution of the cooperative endeavor agreement; and to provide for related matters.

**SENATE BILL NO. 44—**

BY SENATOR HEITMEIER  
AN ACT

To enact R.S. 35:408, relative to notaries public; to authorize the appointment of Crescent City Connection police officers as ex officio notaries public for certain official functions; and to provide for related matters.

**SENATE BILL NO. 46—**

BY SENATOR FONTENOT  
AN ACT

To amend and reenact R.S. 9:2799(A)(1), relative to limitation of liability for damages from donated food; to provide with respect to the donation of food by a food service establishment or restaurant without incurring liability for damages; and to provide for related matters.

**SENATE BILL NO. 72—**

BY SENATOR HAINKEL AND REPRESENTATIVE K. CARTER  
AN ACT

To enact R.S. 33:9093, relative to crime prevention and security districts; to create the Audubon Area Security District in Orleans Parish; to provide for the boundaries and purpose of the district; to provide for the governance of the district by the Audubon Area Zoning Association; to provide for a taxing authority of the district; to provide for the establishment of a plan specifying the public improvements, facilities, and services proposed on behalf of the district; to provide for a budget; and to provide for related matters.

Respectfully submitted,  
CHRIS ULLO  
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

**Privilege Report of the Committee on  
Senate and Governmental Affairs**

**ENROLLMENTS**

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 10, 2002

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Resolutions have been properly enrolled:

**SENATE RESOLUTION NO. 18—**

BY SENATOR BARHAM  
A RESOLUTION

To urge and request that all care providers for the developmentally disabled receiving public tax funds, including but not limited to G.B. Cooley Services in Ouachita Parish, to end the practice of escorting or transporting clients or patients in publicly owned vehicles to casinos or other gaming establishments when the sole purpose of the trip is to gamble.

**SENATE RESOLUTION NO. 19—**

BY SENATOR IRONS  
A RESOLUTION

To urge and request the appropriate officials from the Orleans Parish School Board to report to the Senate Committee on Education on the steps that have been taken to make early childhood education pursuant to R.S. 17:24.10 available to the maximum number of children in the parish and on the means by which parents of four-year old children have been notified of the benefits and availability of the program.

SENATE RESOLUTION NO. 20—  
BY SENATOR HAINKEL

A RESOLUTION

To commend the Republic of China on Taiwan for its contributions to promoting world health and urge and request the members at the annual summit of the World Health Assembly in May, 2002 in Geneva, Switzerland to support Taiwan's bid to obtain OBSERVER STATUS in the World Health Organization.

Respectfully submitted,  
CHRIS ULLO  
Chairman

The foregoing Senate Resolutions were signed by the President of the Senate and presented to the Secretary of State by the Secretary.

Privilege Report of the Committee on  
Senate and Governmental Affairs

ENROLLMENTS

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 10, 2002

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 29—  
BY SENATOR MCPHERSON AND REPRESENTATIVE FARRAR  
A CONCURRENT RESOLUTION

To urge and request all state departments to comply with the state's existing policies, allowing state employees to continue their educational leave under certain conditions.

SENATE CONCURRENT RESOLUTION NO. 34—  
BY SENATORS MOUNT, BAJOEI, BARHAM, BEAN, BOISSIERE, CAIN, CAMPBELL, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, FIELDS, FONTENOT, GAUTREAUX, HAINKEL, HEITMEIER, HINES, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO AND REPRESENTATIVE GUILLORY  
A CONCURRENT RESOLUTION

To urge and request the United States Postal Service to issue a Louisiana Purchase Bicentennial Stamp and to include on such stamp the official Louisiana Purchase Bicentennial logo.

SENATE CONCURRENT RESOLUTION NO. 35—  
BY SENATOR ROMERO AND REPRESENTATIVE ROMERO  
A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana on the death of Wiltz Trahan.

Respectfully submitted,  
CHRIS ULLO  
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

Message to the Secretary of State

SIGNED  
SENATE CONCURRENT RESOLUTIONS

April 10, 2002

To the Honorable Secretary of State:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 5—  
BY SENATOR SCHEDLER AND REPRESENTATIVE KATZ  
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to promulgate rules to afford residents of private Intermediate Care Facilities for the Mentally Retarded (ICF/MR) opportunities to move to a more integrated setting.

SENATE CONCURRENT RESOLUTION NO. 22—  
BY SENATOR HOLDEN  
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to request the appropriate officials at the United States Department of Education to review the federal laws and guidelines with respect to assuring that the approved use of Title I funds to address the educational needs of students is not jeopardized in cases in which the management and implementation of such funds by a local education agency are being examined.

SENATE CONCURRENT RESOLUTION NO. 27—  
BY SENATORS JOHNSON, HOYT, MICHOT, MOUNT AND THEUNISSEN  
A CONCURRENT RESOLUTION

To establish a small business task force to study the various programs, incentives, credits, inducements, and other assistance programs available to small businesses in Louisiana.

SENATE CONCURRENT RESOLUTION NO. 28—  
BY SENATOR DEAN  
A CONCURRENT RESOLUTION

To urge and request local governing authorities, in cooperation with local school boards, to furnish appropriate public facilities for the provision of youth water safety education programs and swimming instruction to students in public schools.

SENATE CONCURRENT RESOLUTION NO. 30—  
BY SENATORS HINES AND MARIONNEAUX AND REPRESENTATIVES CARTER, CAZAYOUX, AND RIDDLE  
A CONCURRENT RESOLUTION

To authorize the study of certain proposals to be submitted by the governing authorities of Avoyelles and Pointe Coupee parishes to the governing body of the Atchafalaya Basin Program for

April 10, 2002

possible inclusion in the state master plan for the Atchafalaya Basin.

**SENATE CONCURRENT RESOLUTION NO. 31—**  
BY SENATORS MCPHERSON AND ELLINGTON  
A CONCURRENT RESOLUTION

To memorialize Congress to authorize and direct the U.S. Army Corps of Engineers to perform certain work on the Larto Lake Diversion Canal in Catahoula Parish.

**SENATE CONCURRENT RESOLUTION NO. 32—**  
BY SENATORS FONTENOT, HAINKEL, BAJOIE, BARHAM, BEAN, BOISSIERE, CAIN, CAMPBELL, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, FIELDS, GAUTREAU, HEITMEIER, HINES, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Dr. Thomas Greenwood Clausen, former state superintendent of education.

**SENATE CONCURRENT RESOLUTION NO. 33—**  
BY SENATORS HOLDEN AND FIELDS  
A CONCURRENT RESOLUTION

To commend and congratulate the Girl Scouts of the U.S.A. on the 90th anniversary of girl scouting.

Respectfully submitted,  
MICHAEL S. BAER, III  
Secretary of the Senate

**Message to the Governor**

**SIGNED SENATE BILLS**

April 10, 2002

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bills:

**SENATE BILL NO. 5—**  
BY SENATOR CAIN AND REPRESENTATIVES HILL AND JOHN SMITH  
AN ACT

To amend and reenact R.S. 47:302.24(B) and (C) and 322.8, and to repeal R.S. 47:302.24(D), relative to sales and use taxes; to provide for the allocation and use of tax proceeds credited to the Beauregard Parish Community Development Fund; and to provide for related matters.

**SENATE BILL NO. 8—**  
BY SENATOR HOYT  
AN ACT

To enact R.S. 33:172.3, relative to annexation of property by municipalities; to provide for annexation of property by the city of Crowley; and to provide for related matters.

**SENATE BILL NO. 37 (Duplicate of House Bill No. 112)—**  
BY SENATOR HAINKEL AND REPRESENTATIVE SCHNEIDER AND COAUTHORED BY SENATORS SCHEDLER AND THOMAS  
AN ACT

To enact R.S. 13:721 and 722 and to repeal R.S. 13:719 and 720, relative to the Twenty-Second Judicial District Court; to provide for the office of commissioner for the Twenty-Second Judicial District Court in criminal matters; to provide for the selection and removal of the commissioner from office; to provide for the qualifications of office, salary, related benefits, expenses of office, and office space; to provide for the sources of funding for the commissioner and his office and employees; to provide for the duties and powers of the commissioner; to provide for conduct of proceedings by the commissioner upon consent of the parties; to provide for delays to traverse the findings and to provide for hearings thereon; to provide for the authority of a judge to accept, reject, or modify the findings; to repeal provisions providing for the existing office of commissioner; to provide for effective dates; and to provide for related matters.

**SENATE BILL NO. 53 (Duplicate of House Bill No. 9)—**  
BY SENATOR MOUNT AND REPRESENTATIVE JOHNS  
AN ACT

To enact R.S. 46:1053(C)(2)(d), relative to the Calcasieu Cameron Hospital Service District; to provide relative to the per diem of the members of the board of commissioners of the district; and to provide for related matters.

**SENATE BILL NO. 75 (Duplicate of House Bill No. 122)—**  
BY SENATOR BOISSIERE AND REPRESENTATIVE TUCKER AND COAUTHORED BY SENATOR SCHEDLER AND REPRESENTATIVE ALARIO  
AN ACT

To amend and reenact R.S. 33:9039.20(B)(7), relative to community development districts; to limit the authority of such districts relative to revenue producing utilities; to exclude electricity and gas service from such authority; and to provide for related matters.

**SENATE BILL NO. 10 (Duplicate of House Bill No. 131)—**  
BY SENATOR HOYT AND REPRESENTATIVE THOMPSON AND COAUTHORED BY REPRESENTATIVES MORRISH AND PINAC  
AN ACT

To enact R.S. 40:4(A)(2)(b)(iv) and 4.10, relative to medical waste; to require landowners, lessees, and occupants who store infectious medical waste to notify the public; to provide for promulgation of rules and regulations; to provide for notice to certain public agencies; to provide for a penalty for violation of the notice requirement; and to provide for related matters.

**SENATE BILL NO. 16 (Duplicate of House Bill No. 8)—**  
BY SENATOR THEUNISSEN AND REPRESENTATIVE JOHNS  
AN ACT

To amend and reenact R.S. 34:2102, relative to the compensation of members of the board of commissioners of the West Calcasieu Port, Harbor, and Terminal District; to provide for a maximum per diem of such members; and to provide for related matters.

**SENATE BILL NO. 19—**

BY SENATORS HOYT, MARIONNEAUX, SCHEDLER AND THOMAS  
AN ACT

To amend and reenact R. S. 17:3091(A) and (C), 3092(11), 3095(E)(1), the introductory paragraph of 3096(A)(1), (A)(1)(b), (D), (E)(1) and (2), and 3099(E), relative to the Louisiana Student Tuition Assistance Revenue Trust Program, referred to as START; to conform references to such plans with the federal law; to provide relative to the use that may be made of START account funds; to revise the definition of tuition; to provide for certain residency requirements; to provide that accounts that are invested in equities are eligible for earnings enhancements; to provide relative to the full funding of accounts; to provide relative to the payment of earnings enhancements; and to provide for related matters.

**SENATE BILL NO. 20—**

BY SENATOR DARDENNE  
AN ACT

To enact R.S. 17:3396.4(D), relative to the Research Park Corporation; to authorize the establishment of an executive committee of the board of directors; to specify membership; to provide for the powers and functions of the executive committee; and to provide for related matters.

**SENATE BILL NO. 32—**

BY SENATORS B. JONES, BARHAM, MCPHERSON, SCHEDLER AND ULLO AND REPRESENTATIVES DEWITT, FARRAR AND GALLOT  
AN ACT

To amend and reenact Children's Code Art. 791.1, relative to truancy and assessment and service centers; to authorize the creation of a truancy and assessment and service center in that judicial district encompassing the parishes of Lincoln, Union and Rapides; and to provide for related matters.

**SENATE BILL NO. 47—**

BY SENATOR BARHAM AND REPRESENTATIVES KATZ AND MCDONALD  
AN ACT

To enact R.S. 40:1300.143(3)(a)(vii), relative to the Rural Preservation Act; to provide for changes to the criteria used to define rural hospitals; to provide for retroactive application; and to provide for related matters.

**SENATE BILL NO. 55 (Duplicate of House Bill No. 71)—**

BY SENATOR CHAISSON AND REPRESENTATIVE GARY SMITH AND COAUTHORED BY SENATORS FONTENOT, LAMBERT, LENTINI AND SCHEDLER AND REPRESENTATIVES ALARIO, ANSARDI, DAMICO, DANIEL, FAUCHEUX, LANCASTER, MARTINY, POWELL, SCALISE, SNEED, STRAIN, TOOMY, WALSWORTH AND WINSTON  
AN ACT

To amend and reenact R.S. 47:6005(D), relative to the qualified recycling equipment credit, to provide that certain industries may receive one hundred percent of the credit and any credit carry-forward for a specified period; to provide that any excess credit amount over and above the amount of tax due shall be refunded to the taxpayer in the same manner as overpayments of tax; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 63 (Duplicate of House Bill No. 7)—**

BY SENATORS BARHAM AND REPRESENTATIVE GALLOT AND COAUTHORED BY SENATOR MALONE  
AN ACT

To enact R.S. 33:381(C)(26), relative to the village of Lisbon; to authorize the village governing authority to provide for the filling of the office of chief of police by appointment or in the alternative to abolish the office of police chief; to provide for the method of appointment and for the salary, term, duties, qualifications, supervision, and residency of an appointed police chief; to authorize the mayor and the board of aldermen to enter a cooperative endeavor for law enforcement services; and to provide for related matters.

**SENATE BILL NO. 69 (Duplicate of House Bill No. 135)—**

BY SENATORS SCHEDLER AND REPRESENTATIVE STRAIN AND COAUTHORED BY SENATOR THOMAS  
AN ACT

To amend and reenact R.S. 33:172, relative to annexation by municipalities; to provide for annexation of property by municipalities; to provide for growth management agreements; and to provide for related matters.

**SENATE BILL NO. 85 (Duplicate of House Bill No. 78)—**

BY SENATOR DARDENNE AND REPRESENTATIVE HAMMETT AND COAUTHORED BY SENATORS BARHAM, HOLLIS AND IRONS AND REPRESENTATIVES CLARKSON AND FAUCHEUX  
AN ACT

To amend and reenact R.S. 47:1123(4) and (5), 1124, and 1125 and to enact R.S. 47:301(10)(a)(v), relative to the state sales and use tax; to provide for a state sales tax exclusion for certain purchases by a motion picture production company; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 80—**

BY SENATORS C. JONES AND CRAVINS AND REPRESENTATIVES HEATON AND MARTINY  
AN ACT

To amend and reenact R.S. 40:966(B)(2) and 967(F)(3)(c) and to enact R.S. 40:966(B)(3), relative to the Uniform Controlled Dangerous Substances Law; to provide with respect to sentencing for certain violations of the Uniform Controlled Dangerous Substances Law; to revise the sentence for distribution or possession with intent to distribute marijuana; to provide with respect to the crime of and applicable sentence for possession of gamma hydroxybutyric acid (GHB); to provide for the effectiveness of such changes; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,  
MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the House**

**SIGNED HOUSE CONCURRENT RESOLUTIONS**

April 10, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 14—**

BY REPRESENTATIVE GALLOT

A CONCURRENT RESOLUTION

To authorize and request the House Committee on Insurance and the Senate Committee on Insurance to study the practice of excluding named persons from coverage of automobile liability policies.

**HOUSE CONCURRENT RESOLUTION NO. 25—**

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Wildlife and Fisheries Commission and the Department of Wildlife and Fisheries to allow individuals to continue to use their existing camps on the Reserve Relief Canal and Mississippi Bayou in the Maurepas Wildlife Management Area until July of 2003.

**HOUSE CONCURRENT RESOLUTION NO. 34—**

BY REPRESENTATIVES WALSWORTH AND KATZ AND SENATOR BARHAM

A CONCURRENT RESOLUTION

To memorialize the United States Congress and the United States Department of the Interior to rename the Tensas River National Wildlife Refuge the Theodore Roosevelt National Wildlife Refuge.

**HOUSE CONCURRENT RESOLUTION NO. 38—**

BY REPRESENTATIVE LEBLANC

A CONCURRENT RESOLUTION

To encourage Louisiana lawyers, judges, and law professors to participate in the legal conferences and meetings within the world Francophone community and particularly those events taking place in Belgium and France in 2002 sponsored by the Francophone Section of the Louisiana State Bar Association.

**HOUSE CONCURRENT RESOLUTION NO. 39—**

BY REPRESENTATIVES WADDELL AND BRUNEAU

A CONCURRENT RESOLUTION

To include the Professional Civil Law Notary Association of North Louisiana and any other interested notary organization or individual as participants in the study conducted by the secretary of state pursuant to House Concurrent Resolution No. 81 of the 2001 Regular Session on the feasibility of statewide commissions for non-attorney notaries.

**HOUSE CONCURRENT RESOLUTION NO. 51—**

BY REPRESENTATIVES DEWITT AND BRUNEAU

A CONCURRENT RESOLUTION

To commend the Republic of China on Taiwan for its contributions to promoting world health and to support its bid to obtain observer status in the World Health Organization at the annual summit of the World Health Assembly in May of 2002 in Geneva, Switzerland.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

**Message from the House**

**SIGNED HOUSE BILLS AND  
JOINT RESOLUTIONS**

April 10, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

**HOUSE BILL NO. 4—**

BY REPRESENTATIVE DARTEZ

AN ACT

To designate a bridge located along old U.S. 90, in Amelia, Louisiana, which crosses Bayou Boeuf in Assumption and St. Mary parishes, as the Earl "Tuttum" Bergeron and Janet Marcel Bridge; and to provide for related matters.

**HOUSE BILL NO. 12 (Duplicate of Senate Bill No. 102)—**

BY REPRESENTATIVE MONTGOMERY AND SENATOR MALONE

AN ACT

To enact R.S. 38:2607, relative to the Cypress-Black Bayou Recreation and Water Conservation District; to authorize the Wildlife and Fisheries Commission to prohibit the use of nets and traps for fishing purposes in Cypress Bayou Reservoir and Black Bayou Reservoir; to require the Cypress-Black Bayou Recreation and Water Conservation District Commission to maintain public access to both reservoirs; and to provide for related matters.

**HOUSE BILL NO. 17 (Duplicate of Senate Bill No. 87)—**

BY REPRESENTATIVE SCALISE AND SENATOR DARDENNE AND COAUTHORED BY REPRESENTATIVES BEARD, BROOME, CLARKSON, CURTIS, FAUCHEUX, GALLOT, GUILLORY, JOHNS, PIERRE, RICHMOND, SCHWEGMANN, AND SWILLING AND SENATORS BARHAM, HOLLIS, AND IRONS

AN ACT

To amend and reenact R.S. 47:1123(4) and (5) and to enact R.S. 47:1125.1, relative to the Louisiana Motion Picture Incentive Act; to provide for a tax credit for employing Louisiana residents; to provide for definitions; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 24—**

BY REPRESENTATIVE MONTGOMERY

AN ACT

To enact R.S. 9:203(D), relative to justices of the peace; to provide relative to the authority to perform marriage ceremonies in certain parishes; to provide authority to justices of the peace within the parishes of DeSoto, Bossier, Caddo, Bienville, Webster, or Red River to perform marriage ceremonies within these parishes; and to provide for related matters.

**HOUSE BILL NO. 25—**

BY REPRESENTATIVE JANE SMITH AND SENATOR CAMPBELL  
AN ACT

To amend and reenact R.S. 13:621.26, relative to district judges; to provide for an additional judgeship for the Twenty-Sixth Judicial District Court; to provide for compensation of the additional judge; to provide for the election and term of office and those of the successors in office; and to provide for related matters.

**HOUSE BILL NO. 28—**

BY REPRESENTATIVES GALLOT AND MCCALLUM  
AN ACT

To enact R.S. 13:2583.2, relative to justice of the peace courts in Union Parish; to authorize each constable of a justice of the peace court to appoint a deputy constable for that ward; and to provide for related matters.

**HOUSE BILL NO. 41—**

BY REPRESENTATIVES R. ALEXANDER AND THOMPSON AND SENATOR B. JONES  
AN ACT

To designate a portion of Louisiana Highway 167 in Jonesboro, Louisiana, as the Richard Zuber Thruway; and to provide for related matters.

**HOUSE BILL NO. 43—**

BY REPRESENTATIVES JANE SMITH AND MONTGOMERY  
AN ACT

To amend and reenact Section 1 of Article 2 of Act 189 of the 1954 Regular Session of the Legislature, relative to the Bossier City-Parish Metropolitan Planning Commission; to increase the membership of the commission; and to provide for related matters.

**HOUSE BILL NO. 44—**

BY REPRESENTATIVES TRICHE, BALDONE, DOWNER, AND WOOTON  
AN ACT

To enact R.S. 47:322.45 and 332.51, relative to the disposition of certain sales tax collections on hotel occupancy in Lafourche Parish; to establish the Lafourche Parish Association for Retarded Citizens (ARC) Training and Development Fund in the state treasury; to provide for deposit of monies into the fund; to provide for the use of the monies in the fund; and to provide for related matters.

**HOUSE BILL NO. 49—**

BY REPRESENTATIVE POWELL  
AN ACT

To enact R.S. 33:2476.3, relative to the compensation of members of the fire and police civil service board in the city of Hammond; to provide for compensation of members of the board for attendance at meetings; to provide limitations; and to provide for related matters.

**HOUSE BILL NO. 56—**

BY REPRESENTATIVE WRIGHT  
AN ACT

To enact R.S. 13:2618, relative to the LaSalle Parish justice of the peace courts; to provide for the territorial jurisdiction of such courts; to provide relative to the election to the offices of justice of the peace and constable; to provide for effective dates; and to provide for related matters.

**HOUSE BILL NO. 58—**

BY REPRESENTATIVE BRUNEAU  
AN ACT

To amend and reenact R.S. 12:1364(A)(4) and (B)(4), relative to limited liability companies; to increase filing fees for annual reports; and to provide for related matters.

**HOUSE BILL NO. 61—**

BY REPRESENTATIVES JOHNS AND HEBERT  
AN ACT

To amend and reenact R.S. 32:900(L)(2), relative to automobile liability policies; to provide for driver exclusions; to provide for agreements; to provide relative to application; and to provide for related matters.

**HOUSE BILL NO. 77—**

BY REPRESENTATIVE FRITH  
AN ACT

To enact R.S. 33:2738.83, relative to the creation of a hospital sales tax district in Vermilion Parish; to create Hospital Sales Tax District No. 2; to provide relative to the governing authority of the sales tax district; to authorize the governing authority of the sales tax district to levy and collect a sales and use tax, subject to voter approval; and to provide for related matters.

**HOUSE BILL NO. 99—**

BY REPRESENTATIVE DAMICO  
AN ACT

To amend and reenact R.S. 30:2205(D), relative to the Hazardous Waste Site Cleanup Fund; to remove cap on expenditures from the fund; to provide for use of the fund for costs associated with nonhazardous waste sites; to provide for promulgation of rules and regulations; and to provide for related matters.

**HOUSE BILL NO. 109—**

BY REPRESENTATIVE QUEZAIRE  
AN ACT

To amend and reenact Section 3(C) of Act No. 113 of the 1950 Regular Session of the Legislature as amended by Act No. 186 of the 1970 Regular Session of the Legislature, Act No. 196 of the 1992 Regular Session of the Legislature, Act No. 953 of the 1995 Regular Session of the Legislature, and Act No. 2 of the 1998 First Extraordinary Session of the Legislature, to provide relative to the per diem paid to members of the Bayou Lafourche Freshwater District; and to provide for related matters.

**HOUSE BILL NO. 116—**

BY REPRESENTATIVE PINAC  
AN ACT

To enact R.S. 47:843(D)(2)(f), relative to tobacco tax regulations; to provide for certain cigarettes to which tax stamps shall not be affixed; to provide for an effective date; and to provide for related matters.

and asked that the President of the Senate affix his signature to the same.

April 10, 2002

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Campbell	½ Day	Chaisson	½ Day
Johnson	1 Day		

**Adjournment**

Senator Lambert moved that the Senate adjourn until Thursday, April 11, 2002, at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Thursday, April 11, 2002.

MICHAEL S. BAER, III  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk